

Appendix A

Public Scoping Transcript and Comments Received

Public Scoping Transcript (A1)

Public Comments Received (A2)

U.S. DEPARTMENT OF ENERGY
PUBLIC SCOPING MEETING
Western Greenbrier
Co-Production Demonstration Project
Charmco, West Virginia
June 19, 2003

1 APPEARANCES:

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The U.S. Department of Energy conducted a
Public Scoping Meeting in preparation of an
Environmental Impact Statement regarding the Western
Greenbrier Co-Production Demonstration Project in
Rainelle, West Virginia. This meeting was held at
7:00 p.m., June 19, 2003, at the Greenbrier West High
School, Charmco, West Virginia, before
Michele G. Hankins, Court Reporter.

P R O C E E D I N G S

MR. MCKOY: Let the record show that the
public meeting began June 19, 2003, at 7:00 p.m., at
the Greenbrier West High School.

As part of NEPA compliance with the
National Environmental Policy Act, U.S. Department of
Energy has decided that there is a need for an
Environmental Impact Study for the proposed project.

One of the first steps in this EIS
process is to conduct a Public Scoping Meeting.

What is a Public Scoping Meeting?

A Public Scoping Meeting is about a
meeting for the public to participate in the
evaluation of the possible environmental consequences
of a proposed project.

More importantly, it is an opportunity
for the U.S. Department of Energy to hear from you;
to hear your concerns about the proposed project.

You might have environmental concerns,

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20 you may be concerned about where it will be, in terms
21 of the impact of pollutants coming out of the stacks,
22 or what would be the levels of concentration of those
23 for you.

24 Or you may be concerned about

4

1 environmental impacts, or, say, economic impacts,
2 such as: How many jobs would be created? What would
3 those jobs pay? What would be the amount of income
4 coming into the community?

5 Or maybe you are concerned about the
6 area of social issues, or safety and health issues.

7 Any of those topics are fair topics that
8 we are here to talk about tonight, or that you are
9 concerned about.

10 On tonight's agenda, there will be a
11 brief overview of the National Environmental Policy
12 Act, which is what we are doing here in terms of the
13 scoping meeting.

14 There will be an overview of the
15 Department of Energy's action in terms of what the
16 Department of Energy hopes to gain from this project.
17 That would be provided by Thomas Sarkus, from the
18 Department of Energy in Pittsburg.

19 That would be followed by a project
20 overview by Wayne Brown. Wayne will give us an
21 introduction to the entire project in terms of what
22 we have done.

23 Wayne is a local person, and he is in
24 charge of production of Western Greenbrier

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1 Co-Generation, Limited Liability Company.

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2 Then finally we will go into a formal
3 comment period. That is the point in time when we
4 will hear from you.

5 Visiting with us tonight, we have a few
6 people that I want to recognize. We have Senator
7 Anita Caldwell.

8 Can you please stand for just a moment,
9 and then you can have a seat?

10 (Anita Caldwell stands.)

11 MR. MCKOY: Thank you very much.

12 We have Delegate Ray Canterbury.

13 Can you please stand for just a moment?

14 (Ray Canterbury stands.)

15 MR. MCKOY: Thank you.

16 I am not sure if we have

17 Senator Jesse Guills?

18 (No audible response.)

19 MR. MCKOY: Do we have Delegate Tom
20 Campbell?

21 (No audible response.)

22 MR. MCKOY: I guess maybe the rain has
23 kept them away.

24 We have tonight, Mayor Eugene Wright,

6

1 City of Quinwood.

2 Would you please stand, sir?

3 (Mayor Eugene Wright stands.)

4 MR. MCKOY: Thank you.

5 We have Mayor Charles Mundy from the
6 City of Rupert.

7 (Mayor Charles Mundy stands.)

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8 MR. MCKOY: Thank you.
9 You have Mayor Adams from The City of
10 Rainelle; is he here?
11 (No audible response.)
12 BY MR. MCKOY: I hear we have Steve
13 Malcolm from the local County Commission is here.
14 (Commissioner Malcolm stands.)
15 MR. MCKOY: Thank you very much.
16 You have Betty Crookshank, of the County
17 Commission.
18 (Commissioner Crookshank stands.)
19 MR. MCKOY: Thank you.
20 You have Lowell Rose from the County
21 Commission.
22 (Commissioner Rose stands.)
23 MR. MCKOY: Okay. From the U.S.
24 Department of Energy here tonight is Mike Eastman
1 with the DOE in Pittsburgh. Mike is the DOE park
2 manager for the Clean Coal Power Initiative.
3 Mike is sitting here in the front. He
4 is going to field people's questions, taking notes.
5 We have with us tonight, Tom Sarkus,
6 here from the DOE in Pittsburgh. Tom is the DOE
7 Director for the Division of Coal Power Project.
8 We have John Rockey with the DOE in
9 Morgantown.
10 John, is the DOE project manager.
11 John, would you please stand up?
12 (John Rockey stands.)
13 MR. MCKOY: Thank you.
14 We have Pete Farrington, DOE,

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15 Morgantown. He is the DOE contract specialist.
16 I am Mark McKoy. I am the DOE/NEPA
17 document manager.
18 We have with us tonight Lori Dorinski,
19 from the DOE in Pittsburgh.
20 Lori is the DOE/NEPA Compliance
21 Officer.
22 Thank you, Lori.
23 Now for a few presentations.
24 I want to give you a little bit of an
1 overview of the National Environmental Policy Act and
2 the scoping process.
3 We will be referring to the National
4 Environmental Policy Act as NEPA.
5 It is a Federal law that became
6 effective January 1, 1970, and it applies to all
7 Federal agencies.
8 Basically, we refer to it as a
9 look-before-you-leap-type of effect.
10 In other words, Federal agencies are
11 required to consider the potential environmental
12 consequences of their proposed actions before they
13 undertake those actions.
14 Of course, for them to make an informed
15 decision about their actions, we have to have high
16 quality information and accurate information.
17 The National Environmental Policy Act,
18 also requires public participation. The purpose of
19 that public participation is to ensure the accuracy
20 of the information, and to ensure that we are

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21 covering all of the topics of concern.

22 That is primarily what we are here for
23 tonight is to try and find out what are these issues
24 that you want to see addressed in the Environmental

9

1 Impact Statement.

2 Under the National Environmental Policy
3 Act, there are going to be three levels of
4 environmental review. Obviously, not all the
5 projects have the same amount of environmental
6 impact.

7 Some projects are very small and have no
8 noticeable impact, and those are covered by Category
9 III.

10 There are other projects for which we
11 suspect that there might be some significant
12 environmental impact, but we are not quite certain at
13 the time, of what those are. For those, we conduct
14 an Environmental Assessment.

15 If in the process of performing the
16 Environmental Assessment, we determine that there
17 are, in fact, significant impacts to the environment,
18 we are required by NEPA to do an Environmental Impact
19 Statement; which is what we are here to complete
20 stepwise.

21 A typical Environmental Impact Statement
22 will include a statement of purpose and need for the
23 agency's action.

24 It will also include the identification

10

1 of reasonable alternatives to accomplish in the
2 agency's purpose.

3 When it comes to reasonable
4 alternatives, the Department of Energy is not always
5 free to consider all possible alternatives.

6 In the case such as the one we have
7 here, (indicating), for example, it is a non-Federal
8 applicant seeking funding for a particular project.

9 The Department of Energy is limited to
10 simply reviewing the application before it, and based
11 on the information in that application, deciding to
12 whether or not to provide funding.

13 If the Department of Energy is not free
14 to say, Well, we like this project, but we really
15 would rather have this project in another location.

16 So, there are some limitations in terms
17 of what can be considered there.

18 Of course, the Environmental Impact
19 Statement will include a description of the
20 environment that could be impacted by this project,
21 and most importantly, it will include a detailed
22 analyzes of the potential consequences of the
23 project, should it be undertaken.

24 Of course, the purpose of our meeting

11

1 tonight is to hear from you. To get your comments,
2 and your concerns on the proposed project on the
3 additional issues to be addressed, the data to be
4 collected, the analyzes to be performed.

5 Please remember that we are very early
6 in the process. The detailed designs have not been
7 worked out at this point in time.

8 We have not collected data, we have not

9 done studies, so we probably could not answer a lot
10 of the questions that you might have.

11 In particular, as we are going through
12 the formal comment period tonight, we will not
13 respond to your questions here tonight.

14 We will be happy to respond to your
15 questions as best we can, after the formal comment
16 period, or at some other point in time, but during
17 the formal comment period, while we are taking a
18 transcript, we want to hear from you. We do not want
19 to hear ourselves.

20 There are a lot of people here who might
21 want to speak. In order to ensure that everyone has
22 time to speak, we are not going to tie up the time by
23 responding to everybody during the formal comment
24 period.

12

1 The proposed Federal action here is to
2 provide financial assistance to the Western
3 Greenbrier Co-Generation, LLC, for the design,
4 construction, and the operation of the demonstration
5 facility.

6 That demonstration facility is intended
7 to test the commercial viability of new technology.

8 The Department of Energy is not in the
9 business of producing electricity for any given
10 community.

11 What the Department of Energy aims to do
12 is to bring new technology to the point of
13 commercialization, and demonstration that they are
14 commercially viable for the benefit of the entire
15 United States.

16 And, of course, we obviously want your
17 participation in this process. We want for you to
18 tell us, the best you can tell us, what you are
19 concerned about.

20 If you are shy, to get up here and speak
21 in front of a crowd, like I am, and you are too shy
22 to come up here to speak, you can make your oral
23 comments in writing. You can provide written
24 comments to us, and mail them to me, e-mail them to

13

1 me, fax it to me.

2 Please try to get your comments to me by
3 Thursday, July 3, 2003.

4 Okay. Now it is time for a few
5 presentations to provide you with a little
6 background.

7 The first presentation will be by Tom
8 Sarkus, which will be regarding the DOE goals and
9 objectives.

10 MR. SARKUS: Good evening.

11 I am Tom Sarkus. I work at the
12 U.S. Department of Energy's National Energy
13 Technology Laboratory, where I manage the Project
14 Management division, which implements the
15 department's Clean Coal Demonstration Projects.

16 Western Greenbrier Co-Generation's
17 proposal is one of eight proposals that were selected
18 competitively from among 36, that were submitted
19 under the Clean Coal Power Initiative, or as we
20 somehow abbreviate it, CCPI.

21 This was the first of four competitive

22 solicitations that we hope will run toward Clean Coal
 23 Power Initiative over a 10-year period. So there
 24 could be three additional solicitations coming up in
 14

1 the future.

2 The Clean Coal Power Initiative is a
 3 cost-shared program between government and industry.
 4 That is important because Western
 5 Greenbrier Co-Generation has developed and proposed
 6 this project.

7 They may finance 50 percent of the
 8 project cost, and are requesting that DOE fund the
 9 remaining 50 percent cost share, under the Clean Coal
 10 Power Initiative.

11 The Clean Coal Power Initiative is an
 12 important part of the National Energy Policy, which
 13 recommends that we increase the use of coal;
 14 America's most abundant fossil energy resource.

15 New technology demonstrates that these
 16 projects are key to preserving and expanding the use
 17 of coal throughout the United States.

18 The Clean Coal Power Initiative not only
 19 supports the National Energy Policy, but also
 20 supports several other national goals. Including,
 21 the Clear Sky Initiative, which sets more stringent
 22 future goals for air pollution emissions of sulphur
 23 dioxide, nitrogen oxide, and mercury.

24 The CCPI seeks to address environmental
 15

1 and economic issues affecting old and new coal-based
 2 power plants.

3 The high-efficiency systems eventually

4 capable of keeping near-zero emissions is one of our
 5 targets and clean coal promotes energy and economic
 6 security back home, here in the United States.

7 As I have already stated, in addition to
 8 Clean Coal Power Initiative will be implemented
 9 through four rounds for competitive solicitations;
 10 we have conducted the first of those four rounds.

11 This map, (indicating), shows the
 12 locations around the country where the eight projects
 13 that were selected under that first round; including,
 14 of course, the Western Greenbrier Co-Production
 15 Demonstration Project.

16 The Western Greenbrier Co-Generation
 17 project is proposed as the anchor tenant in an
 18 environmentally balanced eco-park.

19 Basically, Western Greenbrier
 20 Co-Generation, Limited Liability Company, will
 21 construct and utilize an 85-megawatt fluidized bed
 22 power plant to generate electricity from waste coal,
 23 which is commonly called, "gob".

24 Shown here, (indicating), it is a

16

1 simplified somatic drawing of the power plant.

2 This won't be just any old power plant;
 3 rather, it will be equipped with advanced pollution
 4 control system, to help preserve the local
 5 environment. That is why DOE is involved.

6 This program funds advanced
 7 technologies. If there were nothing new about the
 8 power plants, it simply would not be eligible for
 9 funding.

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10 The eco-park, will through the used
11 gobs, both during construction, and longer term when
12 the power plant becomes operational.
13 Hopefully, this power plant will be a
14 good thing for this area. And the availability of
15 clean, affordable electricity, could attract other
16 things to the eco-park.
17 We are also hoping to take care of the
18 reclaiming of gob piles in coal mining regions
19 throughout the United States, and that we may even be
20 able to export the technology and equipment for use
21 abroad.
22 Gob piles, as you know, can be
23 unsightly. They can be an environmental liability in
24 terms of water problems, and they are not safe for
17
1 children, or anyone else to play, or to really be
2 around.
3 Unfortunately, there is not much you can
4 do with a gob pile.
5 Generally, it does not make economic
6 sense to transport the waste material really over
7 very far distances.
8 It is a problem because there are about
9 1- to 2-billion tons of coal waste in the United
10 States, and about 400-million tons of gob in West
11 Virginia alone.
12 Western Greenbrier Co-Generation Power
13 Plant will produce an ash by-product.
14 This by-product will be used locally to
15 remediate acid mine drainage, and will also be
16 utilized, along with wood wastes, to produce

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17 Woodbriks, to be used in building material.
18 Planning is already under way for the
19 second Clean Coal Power Initiative, though we do not
20 yet have a firm schedule.
21 We hope to begin our scoping meetings,
22 our planning meetings for that process in August.
23 As information becomes available, we
24 will post it on our website.
18
1 The website address is shown here and I
2 thought if anyone needs to write it down, I will
3 repeat it.
4 Basically, it is www, dot, netl -- which
5 stands for National Energy Technology Laboratories,
6 dot, D-O-E, which stands for Department of Energy,
7 dot, G-O-V, which stands for Government.
8 I will repeat it one more time,
9 www.netl.doe.gov.
10 You could also find information at our
11 website on a variety of other clean coal
12 demonstration projects, many that we have already
13 completed; including the world's largest fluidized
14 bed combustor, sized at 265 megawatts, which started
15 up last year in the city of Jacksonville, Florida.
16 To recap the Department of Energy's
17 action to be considered here, is to whether to
18 provide financial assistance to the project proposed
19 by Western Greenbrier Co-Generation, Limited
20 Liability Company, in the form of a 50 percent
21 government profit share.
22 DOE and Western Greenbrier

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23 Co-Generation, are in the midst of negotiating a
24 cooperative agreement for the project.

19

1 Negotiations are going well, but there
2 are some issues; including, a requirement that the
3 participants repay the DOE cost shares from future
4 revenues.

5 Another concern is the commercial
6 potential for replicating the technology elsewhere,
7 in order to broaden the use of coal, and coal waste
8 in an environmentally responsible manner, not only
9 here, but throughout the country, and as was
10 mentioned before, we could even export the technology
11 abroad.

12 With that, I thank you, and I look
13 forward to your comments.

14 MR. MCKOY: Our next speaker tonight is
15 Wayne Brown with the Western Greenbrier
16 Co-Generation, Limited Liability Company.

17 Wayne is a local person. I am sure most
18 of you know him. He will provide you with a project
19 overview.

20 MR. BROWN: Thank you, Mark.

21 Good evening, everyone.

22 Let me see if I can handhold this
23 microphone. I think it might work better -- in my
24 case anyway -- since I am not one who tends to stand

20

1 still very much.

2 Can I have the first slide, please?

3 First, I think most of you may know, but
4 we want to make sure that everyone understands that

5 Western Greenbrier, Limited Liability Company, is a
6 public entity, that is owned 100 percent by the three
7 municipalities that make up western Greenbrier
8 County; Rainelle, Rupert and Quinwood.

9 It is a nonprofit entity.

10 The intention of these municipalities
11 are findings that we hope will close the bottom
12 line. From this operation, over the 20 years of
13 operation that we do financial planning for, we will
14 be reinvested in the community, and through economic
15 development. It will become a substantial ongoing
16 stimulus for economic development beyond the existing
17 power plant itself.

18 It is really a regional development that
19 we are focused on.

20 The scope of the project, literally,
21 that the DOE is sharing with us on, includes both the
22 85-megawatt power plant, and the Woodbrik factory.
23 As well as the gob pile remediation that is an
24 essential part of the firing of the fuel to feed the

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1 plant.

2 In terms of just generally, the plan is
3 for an 85-megawatt generator of electricity, that can
4 also produce large amounts of steam. 30,000 pounds
5 an hour, is our present design point.

6 If we wanted more steam, we can
7 certainly generate it, but our ability to generate
8 electrical power would be reduced.

9 We will be generating in excess of
10 400-million BTU's per hour of waste being in the form

11 of hot water.

12 Those of you who have looked at the
13 displays, and heard the earlier discussions, we are
14 planning to use that hot water for greenhouses and a
15 high-proposed fuel, will be heating warm beds, and a
16 fish farm growing tilapia, et cetera.

17 So, part of our objective here is an
18 integrated system that makes full use of what would
19 typically be wasted.

20 Everything about the plant is
21 state-of-the-art.

22 The fluidized-bed combustor itself, with
23 all the power it produces -- in which we have display
24 items that address it -- it is a very innovative

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1 design.

2 The process of equipment which follows
3 it to clean up the gas stream that goes down to a
4 culvert, the coal pit has the filters, the selected
5 mine site's emissions reduction system, are all
6 aiming to produce the cleanest flue gas that we can
7 achieve with today's top technology.

8 The combustor itself is called an
9 inverted cyclone. One of its major attributes is the
10 structural efficiency of the design.

11 On the left here, (indicating), is a
12 traditional circulating fluidized-bed plant. It
13 consumes three days and 100 percent, in terms of five
14 years; just a relative comparison.

15 This design has a much smaller footprint
16 on the two mains. It is 83 percent in terms of
17 height. The structural steel, we are at about a 40

18 percent savings in steel that goes into the
19 construction.

20 It is very important, we do not need
21 overhead cranes to build it, it locks, and supports
22 itself. You start building from the bottom, and you
23 build to support it as you are going, so it is much
24 less expensive to construct in rural areas.

23

1 If we had waterways, we could bring
2 prefabricated pieces right to our door, that would be
3 one thing, but we don't.

4 The future plans here for this
5 technology, in terms of southern West Virginia, is
6 that a family of systems is good for somewhat of the
7 larger ties, but that there are no waterways, or at
8 least ones to use to reach those spots. So this
9 attribute is a very important one.

10 There is also a very efficient
11 combustor, and it has designed, in effect, to let us
12 integrate it with the calcine that we need for our
13 woodbrik.

14 Emissions is a very important subject to
15 all of us. The technology that we are incorporating
16 is absolutely state-of-the-art.

17 What you see in this slide is the
18 history of the three major emission problems. The
19 sulphur compound, the nitrogen compounds, and other
20 particulates.

21 You can see, (indicating), that over the
22 last two decades, in all areas, the technology has
23 improved dramatically.

24 If you notice, our green bars are about

24

1 half of the blue bars. And the blue bars represent
2 the current controls. We are jumping another step in
3 terms of emission cleanliness.

4 The best reference that I can give you
5 is the Morgantown power plant, in the middle of West
6 Virginia University.

7 Which for those of you who have lived
8 around it -- and I and my family have, you hardly
9 even know it is there -- and we are substantially
10 better than that plant.

11 So that is why, on a very practical
12 level, I am very confident that our power plant is
13 not going to be an emission hazard to our community,
14 and I think you have good reason to share that
15 thought.

16 With regards to the Woodbrik facility,
17 you have seen demonstrations of it tonight. It is
18 one of a family of ash by-product that we think can
19 create a whole new construction material industry
20 here in West Virginia.

21 The basic component of the Woodbrik is a
22 mixture of saw dust and essentially formulated ash
23 that we are provided.

24 The ash that is first produced, is

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1 relatively passive and not very useful as a building
2 material.

3 By reprocessing it, using essentially a
4 lime kiln, you transform it chemically and it becomes
5 very useful. It is a lot like cement, used to make

6 molded products like woodbriks.

7 We are initially planning 300-tons per
8 day of Woodbrik product and productions. 15,000
9 bricks a day of the 35-pound variety.

10 The ash, ultimately -- when we are
11 processing all of the ash -- it can be made into
12 either more Woodbrik, or other ash by-products.

13 That is just a starting point.

14 The kiln that converts the ash
15 chemically is a rotary-fired kiln, that fires with
16 powdered coal, finely ground coal.

17 The waste heat pump is captured back
18 into the boiler, which maximizes use efficiency, and
19 the gasses from the kiln come back into the boiler
20 and are cleaned up by the entire emissions control
21 system.

22 So, we have one stack, one flue gas and
23 it is super clean.

24 The Woodbrik is a demonstrative

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1 product.

2 In Colorado, several homes have been
3 built with it. One of those homes that you can see
4 here, (indicating), is about 2,500 square feet.

5 I can best describe the Woodbrik as an
6 adobe-like material. It is 12 inches thick, 24
7 inches long and four inches high.

8 It is has a "R" value of about an R-19.
9 It is a wall system that replaces the wood stud. For
10 example, you can replace a wood stud wall with the
11 Woodbrik. You put stucco on the outside, plaster on

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12 the inside, and you are done.

13 So, we think it can be a very valuable
14 addition to the building, and power cleaning system.

15 The gob pile remediation is a very
16 important objective.

17 The Anjean waste pile is a 4-million-ton
18 problem.

19 The acid run-off from it is -- the
20 poisons, both tributary and mediatory, are somewhere
21 between -- over \$300,000 a year, just treating the
22 water.

23 Our intentions over a six-year period is
24 to remove all of that waste. Take a sufficient

27

1 amount of ash back, and remove the residual acidity
2 and convert it into a regional park.

3 That plan was pretty much endorsed today
4 by the bankruptcy court.

5 Through the Western Greenbrier Business
6 Development Corporation, purchased the 400 acres at
7 Anjean today to ensure that it would be available for
8 this project, and to ensure that when we are done
9 that there will be a public park.

10 The next slide, (indicating).

11 There is a shot of Anjean,
12 (indicating). You may not have seen it from the air
13 before, but it is a black mountain that you see in
14 the rear with most of the 4-million tons.

15 The pond that is here -- the frequent
16 pond -- is what the West Virginia DEP is currently
17 manning 24 hours a day, 7 days a week, 365 days a
18 year to treat that water.

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19 In terms of the schedule, the way things
20 are going to happen on the project, we hope to
21 complete the critical NEPA process, and the parallel
22 objective permitting process, to actually begin
23 construction on the plant and run from March of this
24 year, to be completed in November of next year; 2004.

28

1 The design stage will begin just as soon
2 as we sign the contract with DOE. It is roughly a
3 17-month design period, that will be completed in
4 2005. The construction will begin, with operations
5 in 2007 -- in the Summer of 2007.

6 In terms of quantitative emissions from
7 this plant, there is a table showing all of the
8 emissions, the pounds per hour, tons per year, the
9 amounts of megawatts and run-off.

10 Those numbers may mean very much to you,
11 but you can trust us to say that it is absolutely
12 state-of-the-art, and I suggest that in comparison
13 with Morgantown, it is the best practical way of
14 saying, that is good enough. We are doing half,
15 again, better than Morgantown.

16 With regard to how we are going to get
17 the waste coal from Anjean to Rainelle, our basic
18 plan is to use rail.

19 When we are done in Anjean in about six
20 years -- we will completely remove the gob from the
21 Anjean area -- and then the Green Valley area, is our
22 next major probability, with an option of
23 approximately 10-million tons of waste coal in the
24 Green Valley area.

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1 That, too, will be delivered by rail.
2 We are talking about operating 22 rail
3 cars a day of waste coal coming in and a little bit
4 of high-quality coal, most likely in the form of coal
5 calcine.
6 Several rail cars of ash, will return to
7 the mine sites, but you can think of it as one
8 round-trip per day of a 20-car train, is roughly what
9 it amounts to.
10 We use a substantial amount of
11 limestone, seven truckloads a day, roughly, will be
12 coming from the -- most likely from the Lewisburg
13 area. There were several quarries every day bringing
14 it in, approximately 10 cars pulled back with ash to
15 the Anjean site, or other sites.
16 Our plan is to return as much of the
17 calcine ash as needed to be used at the mining sites
18 that we are extracting the waste coal from.
19 The remaining ash will be used for ash
20 by-products.
21 Water may have crossed your mind in
22 terms of looking at potential difficulty. We are
23 going to use the better part of 700,000 gallons a day
24 of water.

1 Most of it, 500-and-some thousand
2 gallons will come from the sewage water treatment
3 plant in Rainelle, instead of going directly into the
4 river.
5 We will divert it, and it for the
6 cooling towers, and return what we do not evaporate

7 back to the public sewage plant.
8 We will not be extracting any water from
9 any river.
10 The remaining is well water. We will be
11 using roughly 170,000 gallons a day of made-up water
12 for the plant operations.
13 The wells in the industrial park in
14 Rainelle, we tested one of them at a flow rate of
15 over 1,000 gallons a minute.
16 We are blessed in Rainelle with active
17 wells that are just incredible, four or five
18 different active wells under Rainelle.
19 We don't think that we have a water
20 problem at all. That is one of the unique attributes
21 of Rainelle.
22 That is an overview, and I hope from the
23 previous discussions that I heard this afternoon,
24 that you got a good feel for the project and that the

1 Western Greenbrier staff is available to you at any
2 time to answer questions.
3 I wanted to introduce Gary Skidmore.
4 Gary, where are you?
5 Gary is our chief financial officer, and
6 my co-manager of the LLC.
7 Gary and I are really the two
8 responsible managers for LLC, and you will be seeing
9 lots of us around the project in Rainelle.
10 Please don't be bashful.
11 Contact us if you have any questions.
12 Thank you.

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13 MR. MCKOY: Thank you, Wayne Brown for
14 tonight's presentation.
15 This is the time to begin the formal
16 comment period where the public is invited to provide
17 comments regarding the scope, the content, and the
18 various issues to be addressed in the EIS.
19 It is important to make your views
20 known, either now in oral statements, or in writing.
21 There are a number of handouts that are available
22 back in the back.
23 One of the handouts is a comment card
24 that looks like this. (Indicating). There is a
32
1 space here where you could write some comments, and
2 put your address on there and then mail it back to
3 me.
4 If you need more space, feel free to
5 write a letter to me; of course, you could e-mail it.
6 My e-mail address and my fax number are
7 also on the card. So, please pick up one of these
8 cards and take it with you.
9 Perhaps, more importantly, as we go
10 through the process of producing the Environmental
11 Impact Statement, we will produce a draft document.
12 That draft document, we make available to you.
13 If you would like to have a copy of the
14 Draft Environmental Impact Statement, please pick up
15 one of these cards and at the bottom there is a place
16 where you can check indicating that you would like to
17 receive a copy.
18 You do not have to write any comments if
19 you do not want to. You can also turn these cards in

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20 tonight, or you can mail them later.
21 But if you would like to receive a copy
22 of the Draft Environmental Impact Statement, please
23 indicate on here that you would like to receive a
24 copy.

33
1 There is another handout at the back
2 that is entitled Public Scoping Meeting and the
3 National Environmental Policy Act.
4 You may also want to pick this one up.
5 This also has various ways that you can contact me
6 with your comments and your concerns.
7 Also it lists the libraries that will be
8 the reading areas for the NEPA documents.
9 We will use the Rainelle Public Library,
10 and the Greenbrier County Public Library in
11 Lewisburg, as a reading area. And we will make the
12 various NEPA documents available in those libraries
13 for you to take a look at.
14 Okay, there are a few points for
15 providing comments tonight: Try to limit your
16 comments to five minutes per speaker.
17 There are a lot of people here who may
18 want to speak; in order to ensure that everybody has
19 an opportunity to speak, we will limit this to five
20 minutes.
21 We were hoping to have some sort of
22 courtesy timer to let you know when your five minutes
23 were up. We do not have that, so if you are up here,
24 I may have to come up and just tap on your shoulder

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1 and say your time is up.

2 Please indicate to me if you have more
3 to say than you are able to say in five minutes.
4 Once we go through getting everybody at least one
5 chance to speak, if they wish to speak, then I will
6 start a second round.

7 The way it will work tonight, I will
8 take the preregistered speakers first, and then those
9 speakers who registered at the door, then I will open
10 up the floor to anybody who wants to provide
11 comment. Once we have given everybody one chance,
12 then we will begin a second round.

13 We have a transcriptionist who is
14 recording all of your comments tonight.

15 So please when you give comments first
16 state your name, and spell your name for the
17 transcriptionist, and please, for the benefit of
18 everybody, speak loudly and clearly.

19 Again, if you are uncomfortable,
20 speaking in front of a crowd and want to provide
21 comments, please use your comment card.

22 Okay. I am not sure about this list of
23 speakers, but I am told that Delegate Tom Campbell is
24 now here and that Tom Campbell would like to speak

35

1 for a minute.

2 Please come up.

3 DELEGATE CAMPBELL: Good evening. My
4 name is Tom Campbell, C-A-M-P-B-E-L-L.

5 Your delegation has been working on this
6 project -- your state delegation -- for quite some
7 time for the past year. For the Federal

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8 government -- or at least I would like to say -- that
9 we look forward to trying to work with you to see
10 that a project is done in a responsible manner, that
11 hopefully can alleviate some environmental concerns
12 that we have, as well as provide very needed
13 employment to this area and to this state.

14 We have some struggles to overcome, but
15 I just received word from the Governor's office
16 today, that they are willing to meet with us at 1
17 p.m. on Monday.

18 So we will be meeting with some of those
19 folks that speak today to discuss the current
20 situation with them.

21 I will be here for the rest of the
22 evening, and if you do have comments you wish to
23 direct to me, please do so.

24 We think that there is an opportunity

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1 here, if it is done right, to address the
2 environmental concerns, and do a project, and to do a
3 project that will provide needed employment here, as
4 well.

5 So I look forward to continuing to work
6 on this. I see in the back -- I know Bill Sharpe is
7 here, and Senator Guills just walked in, as well.
8 Your whole delegation is here, and we look forward to
9 working with you.

10 Thank you.

11 MR. MCKOY: Thank you Delegate Tom
12 Campbell.

13 The next speaker is Delegate Ray

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14 Canterbury.

15 DELEGATE CANTERBURY: Certainly the
16 entire delegation understands the vital importance of
17 economic benefits of this project to work for the
18 western end of the county, but since this is an
19 Environmental Impact Study -- such as I understand it
20 to be -- I will kind of limit my comments to that one
21 specific problem that was alluded to earlier --
22 specifically, the widespread problem with gob in the
23 State of West Virginia and the waste water problem.

24 I know that you are all familiar with
37
1 the site at Anjean, which has a tremendous amount of
2 gob. I think you know that there is run-off on this
3 site that poses a significant industrial or
4 environmental hazard to this area.

5 If that water is allowed to run off
6 untreated, I think it runs off at a Ph of about three
7 or four, which is acidic. It kills all of the fish
8 in the streams, and it also gets into the ground
9 water. So if you depend on wells for water,
10 certainly that is an environmental quality of life
11 issue.

12 The Anjean site is not the only site
13 like that around the State of West Virginia.

14 There are something on the -- as I
15 understand it -- hundreds of such sites, in which the
16 State of West Virginia is currently paying -- not
17 only to clean up the Anjean site, but several other
18 sites around this state.

19 Here at Anjean, I think the cost is
20 between 200- and \$250,000 a year. You are paying

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21 taxes on this site. Statewide, it is several million
22 dollars a year.

23 It is my understanding, that if we clean
24 up that mess statewide -- and it would cost the State

38
1 of West Virginia somewhere between 2- and 3-billion
2 dollars to completely alleviate some of the
3 groundwater contamination problems posed by gob piles
4 all over the State of West Virginia.

5 Right now we have significant economic
6 problems in West Virginia.

7 As is, we have a \$4-billion unfunded
8 liability in our employee pension programming, we
9 have a \$5-billion unfunded liability in workers' Comp
10 that we just addressed.

11 Now the bottom line is that we simply
12 don't have the funds for this.

13 Let's break this down, \$2 billion, 1.8
14 million people, that is \$1,100 a head to clean up
15 this problem.

16 Clearly, if the technology like this
17 proves to be viable, there is an opportunity to try
18 to find investments that will help us alleviate this
19 particular problem, is certainly something that we
20 need to explore.

21 I would further encourage you, as a
22 committee, the environmental study committee, to
23 study this specific project very carefully, because
24 it is very important to the whole state, and it is

39
1 very important to the taxpayers in this city, as

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2 well.

3 Thank you.

4 MR. MCKOY: Thank you, Delegate Ray

5 Canterbury.

6 The next speaker will be Senator Jesse

7 Guills.

8 SENATOR GUILLS: Good evening.

9 I will be very brief.

10 I want the audience to be aware of how
11 serious I think this matter is, and how important it
12 is for this county, both in terms of employment, as
13 well as from an environmental standpoint.

14 I didn't know prior to the beginning of
15 the session that was completed back in March, much
16 about this project. But I have had the opportunity
17 to meet with several individuals who have worked with
18 it, and it appears to me that it is a project that
19 could be beneficial for the State of West Virginia,
20 but in particular, Greenbrier County, and more
21 particularly, western Greenbrier County.

22 This project will provide jobs for a
23 long time.

24 One of the most irritating things to

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1 me -- as most of you have been aware through
2 reading the paper -- about a bond issue that went
3 through the legislature last year, \$200 million.

4 There was monies that had been
5 designated to go to certain areas, not of which came
6 to Greenbrier County, none of which came to the 10th
7 District, which includes Greenbrier, Monroe, Summers,
8 most of Mercer, and a part of Fayette.

9 It is disturbing to me to see and watch
10 money being distributed to areas, and areas that need
11 money, need jobs, are ignored.

12 In this particular instance, this
13 project will provide jobs for a long time, and will
14 provide jobs for not only for those who are in this
15 room, but will provide them for your children, and
16 your grandchildren.

17 To think that the State is willing to
18 sink \$70 million into a retail strip mall in
19 wheeling, but won't look to this District, and look
20 to what we need here and what we cannot have.

21 I think Delegate Canterbury and Delegate
22 Campbell -- although I just walked in -- addressed
23 some environmental issues.

24 As taxpayers, we need to be aware that

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1 this State is paying \$250,000, plus, annually to keep
2 your streams safe. And when you look at the cost of
3 this project, and the fact that we can clean up
4 streams, and eliminate the threat of polluted and
5 contaminated water, then it is time we stand up, and
6 we go to Charleston and we tell them what we want.

7 It is going to take people like you to
8 do that.

9 You can come to us, and we will help you
10 any way we can, but we have got to voice, and voice
11 quick, because time is running out.

12 What I would ask you to do is to get
13 behind us, and let Charleston know that we are not
14 going to stand by and let the Federal government give

15 us \$107 million, and we can't find \$4 million in this
16 state, but they can sink \$70 million in a retail
17 mall.

18 Enough is enough.

19 Let's get excited and let's do something
20 for western Greenbrier County, and for the future of
21 this state and this county.

22 Thank you.

23 MR. MCKOY: Thank you, Senator Jesse
24 Guills.

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1 Next we will hear from Senator Anita
2 Caldwell. She is from Princeton, West Virginia.

3 SENATOR CALDWELL: I am Senator Anita
4 Caldwell, and I am the rest of the delegation.

5 Because we are the 10th District, the
6 new district when this end of Greenbrier County was
7 put in with Mercer and other counties, I became your
8 city senator when that happened.

9 Like Jesse -- first let me say that I
10 totally agree with him completely and totally, and
11 was applauding because he is so accurate in the fact
12 that the 10th District did not get any money.

13 So I am here tonight first to tell you
14 that I am a part of the 10th District, and he
15 represents Greenbrier County, also. I just wanted to
16 show you that I do have support for this project.

17 When I was told about it, I was
18 absolutely amazed that so much work has been done to
19 get it ready.

20 As your "other" Senator, I will do
21 whatever I can to help the local Greenbrier

22 Development Authority bring it to reality.

23 It is just unbelievable that we have
24 made it as far as we have and we are one of the

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1 eight.

2 A major reason to support the plan, is
3 the opportunity to revitalize this county that once
4 relied so heavily on coal.

5 Because when you do that, you not only
6 help this county and state, but all of those other
7 southern counties that have this to look forward to,
8 possibly even transporting their waste right up here,
9 too, eventually, if they cannot build one of their
10 own.

11 The concept is so environmentally
12 positive, that it has created a real buzz in the
13 political circles in Charleston, where there are
14 officials that could make this happen, once they quit
15 concentrating on the northern panhandle, and start
16 realizing that there is a southern West Virginia.

17 I have had conversations as recently as
18 today with Senator Walt Helmick, the finance chair,
19 and a couple of days ago with David Satterfield of
20 the West Virginia Economic and Development Authority.

21 They know this exists. They realize that we
22 need that money for the bridge. They are looking for
23 ways to find it, and I suspect that is one of the
24 reasons they are willing to meet with the delegation

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1 again next week.

2 They cannot write this off. It is just

3 too good of a deal.

4 Too good of a deal for Greenbrier
5 County, and too good of a deal for the State of West
6 Virginia.

7 So you are on their radar screen. You
8 are on it to the point that I really think it is
9 going to happen.

10 But I cannot sit down without telling
11 you that you have got the secret weapon, it is former
12 Senator Ralph Williams.

13 This man knows whose buttons to push,
14 and where to go, and what to do to get people to pay
15 attention, and I want you to know that he has been
16 doing it.

17 So I think that after the studies are
18 finished, and Greenbrier wants to go forward with
19 this -- and I know you do -- I believe that we are
20 going to find the funding and it is going to be
21 reality, and I want to be a part of it, as your
22 "other" Senator.

23 Thank you for letting me speak to you
24 this evening.

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1 MR. MCKOY: Thank you, Senator Anita
2 Caldwell.

3 Our next speaker will be, Steve Malcom,
4 president of the local County Commission.

5 MR. MALCOM: This is going to be
6 impromptu. I didn't know I was supposed to speak
7 tonight.

8 The Commission has put some money forth
9 in this project because I believe that you have got

10 to spend money to make money.

11 I had the honor to work at Lackey, and
12 know all about the gob piles, there are many gob
13 piles up there.

14 As we sit here tonight, you all know
15 that we have got an environmental problem, but we
16 have an economical problem.

17 Look around you: We are all seniors, or
18 mid-seniors, like myself. Most of our children have
19 left. Hopefully they can come back and work.
20 Children that are in high school, maybe they will be
21 able to stay.

22 Ms. Caldwell, mentioned
23 Senator Helmick. I went with a group to Charleston a
24 few weeks ago. The Governor didn't think we had any

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1 money, and Senator Helmick came up with a million
2 dollars. So if they want to call us back, maybe we
3 can come up with a way that we can come up with
4 another couple 2- or 3- million dollars; I don't
5 know.

6 It is imperative that you get this for
7 western Greenbrier County, and for Greenbrier County.

8 There is a little stigma between western
9 Greenbrier County, and eastern Greenbrier County, and
10 I talk to a lot of business people in Greenbrier
11 County, and the eastern end is all for this project
12 because they want to see something happen in the
13 western Greenbrier County.

14 I made the statement before that people
15 in the west end of the county, are kind of treated

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16 like a third-world country.

17 It has got kind of turned around on me,
18 but when you get out here and work in the western end
19 of the county, we are like a third-world country over
20 here and it is time to turn that around.

21 Like I said, I was not planning on
22 speaking tonight, I know the County Commission is
23 behind this project. I would like to applaud
24 Mr. Wayne Brown, and what he has tried to do to make

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1 this thing go. And Mr. Bill Shiffer, I don't know if
2 he is here tonight, but your heart is in the right
3 place to try to get this thing off the ground and
4 going -- with Mr. Williams -- with no time, too.

5 Thank you.

6 MR. MCKOY: Thank you, Mr. Steve Malcom,
7 and I apologize. I was looking for you earlier to
8 confirm that you wanted to speak, but I was told
9 earlier that you didn't.

10 Would Mayor Eugene Wright like to speak?

11 MAYOR WRIGHT: I have been in the county
12 a long time.

13 I understand what your economic problems
14 are.

15 In a real small town -- I have been
16 Mayor, I have had two other terms -- and it is very
17 hard for a real small town, with a very small tax
18 base, and not much employment, to really be -- to
19 really get the benefits for small towns that we need.

20 But there are roughly 450 people up
21 there. But this would make a tremendous
22 difference -- and we should probably start thinking

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23 about getting some of these benefits for our people.

24 It just amazes me about what has been

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1 done for this project. And to me, when we turn the
2 first shovel of dirt on this project, let's just say
3 that it will be the most exciting thing that happened
4 to this county in 100 years.

5 Thank you, Mayor

6 MR. MCKOY: Would Mr. Charles Mundy like
7 to speak?

8 (No response.)

9 MR. MCKOY: Would Mayor Pete Adams like
10 to speak?

11 (No response.)

12 MR. MCKOY: Would Betty Crookshank like
13 to speak?

14 Betty is with the County Commission.

15 MS. CROOKSHANK: It is really good to
16 see so many people out tonight.

17 It is a time for us to come together and
18 find out what information -- I know some people have
19 had some questions, so I hope those questions have
20 been answered, and if not, there will be a time for
21 question and answer.

22 I also would like to thank the ladies
23 from Quinwood that prepared the nice food that we had
24 before this meeting.

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1 When Wayne Brown mentioned to me -- back
2 a year ago in February -- I ran into him at a party,
3 and he told me he was working on a study about this

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4 co-generation, and I was very enthused.

5 I thought, well, gosh, this is a great
6 opportunity to clean up the gob pile at Anjean, and
7 also have some economic development for the western
8 end of the county.

9 The western end of this county does get
10 left out. And although there may be a few little
11 details that need to be worked out, I think it is a
12 great project.

13 I agree whole heartedly with what our
14 legislators have said, that this end usually does get
15 left out, and we need to work together and try to get
16 this to go.

17 It is too close to let it slip through
18 our fingers. So I hope that it will be looked upon
19 favorably in your-all's report.

20 Thank you all for coming.

21 MR. MCKOY: Thank you, Betty.

22 Fred Patterson?

23 MR. PATTERSON: I get up here in the
24 hopes that if somebody else that has other ideas will

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1 say it.

2 I came here tonight with a prepared
3 statement. After talking to a number of people, and
4 listening to what has been said, I would like to just
5 almost entirely throw that out.

6 The reason I came is that I heard the
7 word, "mitigation".

8 I don't know how many pay attention to
9 I-64, between Sam Black Church and Laurel, with
10 results of wetlands in our type of topography.

11 Everybody in the various agencies that
12 speak to, about, and for the environment, say they
13 don't know why those trees died out -- and I do mean
14 every one of them.

15 Pin oak loves the water, you can't kill
16 a pin oak, you sure can if you flood its roots. It
17 cannot breath.

18 I got involved in this stuff about five
19 years ago. I personally have lost about \$50,000 in
20 equipment cost because of the water that has been
21 pushed back at us.

22 Now why I came is the intentions seem to
23 be in Rainelle to start with a very small little bit
24 requirement for mitigation.

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1 We ran into that problem, starting back
2 at about 1991. We finally found out that not only
3 had they forced the sale of about 323 acres of land
4 to compensate for 18 acres of land.

5 The design of the Interstate made an
6 11-mile-long dam across it.

7 And they put -- "they," the
8 environmentalists, advocates -- had put in culverts
9 three feet above the forest floor.

10 Now all of a sudden, the land gets wet,
11 takes longer to drain.

12 We are talking about, I believe, 18
13 acres -- I heard someone mention -- that may require
14 mitigation.

15 Well, that undoubtedly will come in at a
16 habitat unit value. A number that the EPA, and your

17 various environmentally-friendly groups use to tell
18 you how many frogs are supposed to be on it.

19 Most of them wouldn't know the
20 difference between a hellgrammite and a moth, but
21 they want wetlands.

22 We have a state, too many people. We
23 have mountains, and I am surprised, mountains cause
24 valleys. Water runs off mountains, and makes wet

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1 spots that eventually turn into streams, and logs
2 fall into streams, and you have got a temporary
3 wetland.

4 The problem that we ran into took 11
5 years to get them to remove an illegal dam across
6 Meadow River.

7 This goes back to a 1967 study. In
8 1985, there is no problem. I have the books right
9 here they say, No environmental problem.

10 In 1988, they discovered a 1967 study,
11 that was supposed to clean up Meadow River. Supposed
12 to get those 20's to 30's logging tops out, fill and
13 silt out, so that the water could.

14 But this study that was supposed to
15 clean Meadow River, all of a sudden, was called the
16 Upper Meadow River Wetland Compound, 137,000 acres of
17 meadow, a 20,000-acre dam that would have flooded the
18 farmland of Meadow River to the head waters.

19 Now all I ask is that someone on this
20 project tell me that they will put that plant where
21 there is not a square inch of mitigation required,
22 because now we are up to 2,200 acres, and they are
23 still going.

24 I know I am starting to sound like a

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1 preacher now, but I can get mad about things. About
2 things that really matter to individuals.

3 I will just go ahead and shut up, and
4 let somebody tell me that you are not going to
5 mitigate an inch of property.

6 I don't care who owns it, or why it is
7 being considered for the plant, look across the road
8 a quarter mile there, 80 percent of this state is
9 forest. 10 percent is in agriculture, and that is
10 why -- they want to make everything a wetland.

11 I would like to leave you with this
12 thought: I am not against jobs, and I am sure this
13 plant -- there will be some fallout to the community,
14 somehow, or another, and a few people will get some
15 bucks here and there, but fight if you believe.

16 As someone said several years back, "The
17 most important political office is that of a private
18 citizen."

19 Get active.

20 We will get some jobs.

21 (Mr. Patterson attached written comments
22 to the record, as an addition to his
23 oral statements.)

24 MR. MCKOY: Thank you, Fred.

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1 It is very important that you tell us
2 these things, and that we consider the problems that
3 you have had in the past, in planning what to do in
4 the future.

5 If you would like to enter your written
6 statement into the record, please hand that to me
7 after the meeting and I will have it entered into the
8 transcript.

9 MR. PATTERSON: I have a feeling I will
10 be seeing a lot more of your office.

11 MR. MCKOY: That will be fine.

12 Okay. Would Dave Cowan like to speak?
13 I am not certain that he had indicated that he would
14 like to.

15 You would like to?

16 MR. COWAN: Yes, I would.

17 MR. MCKOY: Okay.

18 MR. COWAN: Dave Cowan is the name. I
19 am with Greenbrier River Watershed Association;
20 however, there are those people here from the
21 Greenbrier River Watershed Association, who do not
22 agree on everything. So please, just consider this
23 to be my personal opinion.

24 Basically I am in favor of the concept

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1 of this thing, and I think it would be great if all
2 of the environmental concerns are actually taken care
3 of.

4 Basically the environmental community
5 has been at war with the coal companies for years,
6 and years, and years.

7 And the State has been sort of our enemy
8 because of their going along with whatever the coal
9 companies want. And so that is scary in that this
10 project is set up to burn more coal.

11 And burning the gob pile up seems like

12 an excellent thing to do, but there is other water
13 pollution, and air pollution.

14 We want to make darn sure that those
15 things, pollution permits by the State are not issued
16 for those things which allow water pollution and air
17 pollution to happen like it does in many, many,
18 other coal burning projects and coal extraction
19 projects.

20 The other thing is the valley fill.

21 For every truckload of coal that comes
22 out of a strip mine where they use valley fill, you
23 have got more valley fills. And everybody knows
24 about the environmental degradation caused by valley

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1 fill.

2 Federal Judge Haden issued a ruling on
3 that in which he said that it was entirely against
4 the Clean Water Act, and I think that the State DEP,
5 spent more money trying to overcome his ruling, than
6 they probably spent on mitigation, and other
7 environmental things in all of southeastern West
8 Virginia.

9 The other problem is the overweight
10 trucks for all of the trucking of coal. In fact,
11 after they use up the gob pile, and so forth, there
12 may be coal trucks running up and down. There are
13 certainly going to be limestone trucks running up and
14 down the highway.

15 Again, the State allows these
16 140,000-ton -- or whatever it is -- trucks, which are
17 way above Federal standards, to run on our highways.

18 The Federal government won't allow it.

19 They won't run on Highway 64 because the Federal
20 government has control of the weight, and will not
21 allow that type of weight.

22 The other problem is limestone
23 quarries.

24 Limestone quarries, in themselves, are

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1 very poorly regulated in this state, because of our
2 state, of course, and there is going to be use of
3 limestone for this project, which will come out of
4 these quarries.

5 It is poorly regulated, and it allows a
6 lot of pollution to happen from quarry sites
7 themselves.

8 So these are peripheral things that this
9 project is going to impact the environment.

10 So I would ask that the Federal
11 government, whichever -- the DOE, or whoever is going
12 to be in charge from a Federal standpoint, that they
13 become the ultimate overseers of the project, to make
14 sure that the State does not -- that the State
15 regulations, or the State's weak regulations, are not
16 considered for this particular project.

17 This is a demonstration project. And we
18 should demonstrate with this project, all of the
19 costs, all of the environmental costs, and other
20 costs like a project like this would cost.

21 I feel like, for example, in the
22 quarries, and the valley fills, and I would hope that
23 the Federal government would not permit coal from
24 areas that do valley fills.

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1 That they would not purchase, or allow
2 coal to be purchased, from producers that use
3 valley-fill techniques. That can be written into the
4 authorizing projects, the authorizing agreement.

5 Also the same thing with the pollution
6 permits, that they oversee that, and make sure that
7 no pollution permits are allowed, which are less
8 environmentally -- whatever -- than what the Federal
9 standards are.

10 The same thing with air pollution. That
11 the Federal standards be the ones that are in
12 control, and not something issued by the State.

13 Same thing with the trucks, that they
14 not allow coal purchased from overweight trucks.

15 Another thing that I mentioned to
16 several of the people who can control the project, is
17 that we do seem to have a radon problem in some of
18 the basements in the Greenbrier valley and other
19 areas.

20 I don't think that any of the aggregate
21 has ever been tested to see whether that is the
22 source of the radon.

23 I would ask that radon tests be done on
24 the limestone, that it can be used to make these

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1 bricks, so that if it is used in a house, they knock
2 off the radon problem in any housing that we have.

3 Other standards for safety, are the
4 overweight trucks, and so forth, as a safety issue,
5 that I think should be addressed.

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6 That is about all I have.
7 Thank you.
8 MR. MCKOY: Thank you, Dave, for those
9 very good points.
10 Would Roger Ash like to speak?
11 MR. ASH: Roger Ash. I would like to
12 let everyone know that I am 100 percent behind this
13 project.
14 Coal has been very good to me and my
15 family, and gives to our people, and our community.
16 Coal put my children through school, it
17 has paid for my home, and has paid for my vehicles.
18 I bet you that not one of them
19 environmentalists here rode a mule, or a horse, that
20 they rode a vehicle that coal helped produce.
21 It keeps the lights on, and I want to
22 see the coal flow.
23 We have got one significant problem that
24 can be resolved, and that is mitigation.

60

1 I agree whole-heartedly with
2 Mr. Patterson, that we cannot have mitigation,
3 because then that empowers not this project, but that
4 empowers the people who want to destroy this
5 project. The liberal people will come in and say we
6 want hundreds of acres, possibly.
7 Now, I am of the opinion that I want
8 this project, and after seeing this property I am
9 thinking that it can be solved without any
10 mitigation. That all mitigation can be handled
11 onsite.
12 What we do not want from this project,

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13 is 30 more acres of swampland, to breed mosquitos and
14 filth that we do not need on this earth, so our
15 liberal friends have no bite on us.
16 I also want to say that if we stop it
17 now, we do not need mitigation.
18 Thank you.
19 MR. MCKOY: Thank you, Roger.
20 Gary Graham?
21 We were not sure if Gary wanted to
22 speak.
23 There seemed to be some indication on
24 the sign-in sheet.

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1 (No response.)
2 MR. MCKOY: Would Ralph Williams like to
3 comment?
4 MR. WILLIAMS: I am glad to see so many
5 people at this project tonight.
6 It is possibly the only opportunity that
7 has arisen in several years that might bring some
8 technology development to western Greenbrier County.
9 Your grandchildren, and some of your
10 children, they have an opportunity to see and really
11 get a reasonably good job if this entity gets
12 completed.
13 It hasn't been mentioned why the
14 location of this project was selected in Rainelle.
15 Briefly, it was done so because you
16 could not take water out of any of the clear creek
17 streams; you could not take water out of Meadow
18 River, and you had to have an opportunity to connect

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19 your power source in a high-price line that could
20 carry the power line.

21 We solved the water problem by looking
22 around this end of the county, and narrowing it down
23 to where a site might be selected.

24 The site in Rainelle pretty much met

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1 those characteristics.

2 A sewer plant, which was built in 1981,
3 has about a discharge of about 500,000 gallons of
4 cleaned up water a day. And the old Meadow River
5 Lumber Company well that still exist on the old
6 Meadow River property, which is now an industrial
7 park, was one of the finest wells that produced city
8 water for the old town of Rainelle.

9 When the towns worked them mines, that
10 water source -- and when Meadow River left the
11 community, that water source was discontinued, and
12 the old town of east Rainelle becomes Rainelle, and
13 they use a different well, which still supplies
14 plenty of water.

15 That cured the water problem, and you
16 had to be close enough that you could connect into a
17 power line. Well, right up above Rainelle Junior
18 High School crossing up on Sewell Mountain, is 65
19 feet of line which can be connected into and run up
20 to Lackey.

21 Appalachian Power Company will upgrade
22 that line with three connectors, and we can hook the
23 power system into the grid. That means that we just
24 have to improve a very few miles to accomplish that.

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1 The other thing is that you had to have
2 a bunch of level land if you were going to build a
3 bunch of greenhouses, and have agricultural
4 products. But there is about 100 acres, more or
5 less, that is available that fits that category,
6 right here around Rainelle.

7 So, that is basically the reason why
8 this site was selected by these people to build this
9 facility.

10 Mr. Patterson, yes, we are probably
11 going to mitigate five- or six acres of ground, they
12 are probably going to do that, and that ain't going
13 to kill anybody.

14 What you need to do is join the
15 committee that is going to be formed by this group of
16 people in the next 17 months, and work towards
17 developing all of those assets, while providing
18 dwellings for people to live in.

19 There are going to be about 350 workers
20 on that plant site for two years. They are going to
21 require houses, they are going to require their
22 children to go to your schools, and these kinds of
23 plans have to be looked into and some provision
24 made.

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1 There is a lot of work to be done by all
2 of you who are willing to contribute to this project.

3 I thank you for giving me a chance to
4 speak tonight.

5 MR. MCKOY: Thank you, Ralph.

6 Would Buck Williams like to comment?

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7 MR. WILLIAMS: My name is J.C. Williams,
8 III, most commonly known as just plain Buck Williams
9 to most people.

10 We have heard from the engineers, we
11 have heard from the scientists, we have heard from
12 our elected officials, we have heard from some
13 persons with concerns about our environment.

14 I would like to share my thoughts with
15 you as a business person.

16 My wife and I own a small business
17 located here in Charmco.

18 Any business class that you go to,
19 number one they tell you: Find a need, you will make
20 money.

21 Everything that I have read, heard on
22 the radio, seen on T.V., tells you that electric,
23 oil, and gas, are going to become very, very, scarce
24 and in high demand within the next 10- to 15 years.

65

1 We have witnessed the brown-outs of California, so we
2 have electric.

3 Now our concern is environmentally, and
4 our friend from DOE is here, and DEP, to keep a very
5 tight watch on things. They are helping to do
6 business very clean, and in an environmentally safe
7 way through modern technology.

8 The one thing that I really like about
9 it is that if you are in a business situation, you
10 want to look for a win/win situations; right?

11 Win/win, is the fact that here we are,
12 we have a product we can sell, and we also have
13 the -- shall we say, a disaster, that we need to

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14 clean up, the gob piles.

15 The gob piles. You can talk about
16 West Virginia's beauty and try to forget about the
17 gob piles. The local citizens know about the gob
18 piles. But here we are, we are going to clean those
19 gob piles up.

20 The other portion that I like about it
21 is the project brings numerous opportunities.

22 I have attended several meetings, and I
23 am pretty confident that even though I am not an
24 engineer, or a scientist, that people have a pretty

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1 good handle on this thing, and I think that it looks
2 like we are very fortunate that we can do it in an
3 environmentally safe manner.

4 The other thing that I like is that it
5 has to be cost-effective.

6 This is not a government handout here.
7 This is a partnership deal where down the road here
8 for 20 years, we are going to have something that
9 will produce a commodity that we can sell, and we are
10 going to clean the environment up all in one run.

11 This project gives jobs.

12 We all know what jobs mean to everyone.
13 The thing I like about the jobs for this project is
14 the fact that they are not seasonal. They are not
15 six months, they are not nine months, they aren't
16 minimum wage. These jobs are manufacturing jobs that
17 you can raise your family on, and raise your family
18 on well.

19 The other thing that I really like is

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20 that -- it has been alluded to here before, is the
 21 fact that other parts of the state you hear about --
 22 in other states -- you hear about all the tax deals
 23 and incentives, to bring companies in and the whole
 24 thing.

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1 Since we have moved here, my wife, my
 2 family and I -- I always come last when it comes to
 3 those three -- when we moved here, one of the first
 4 things I heard was that everybody says all the big
 5 corporations come to West Virginia and they take
 6 their money and they go home.

7 All of a sudden, here we are with a
 8 project, a limited liability company, that we will
 9 own with the three communities that are here. So it
 10 will belong to the people in West Virginia, and the
 11 bulk of the money will stay here.

12 Thank you.

13 MR. MCKOY: Thank you, Buck.

14 It is a little uncertain if the next
 15 person really wanted to comment, but would John Perez
 16 like to comment?

17 There seems to be some indication on the
 18 sign-in sheet that John Perez might want to comment.

19 (No response.)

20 MR. MCKOY: Okay. Would Tina Persinger
 21 like to comment?

22 MS. PERSINGER: I am one of the people
 23 that left here, I live in Rainelle now.

24 My name is Tina Persinger.

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1 I am one of the people that left the

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2 Rainelle area, and moved somewhere else because of
 3 the economic development that we have here.

4 My children, my husband, and I, moved
 5 back because we wanted to come home.

6 We were away for a while. My kids are
 7 doing well now, but I commute 77 miles one way to go
 8 to work. I have to do that in order to make ends
 9 meet.

10 I am for this 100 percent. I thank
 11 Ralph Williams, and all of the supporters, for
 12 allowing us to have this time to speak.

13 I hope that everybody in Rainelle,
 14 Rupert, and Quinwood, and the surrounding
 15 communities, support all of this.

16 Thank you.

17 MR. MCKOY: Thank you, Tina.

18 We have another person who is a maybe
 19 based on their sign-in; does Charles Meadows wish to
 20 speak?

21 MR. MEADOWS: My name is Charles
 22 Meadows. I am a local businessman.

23 I was raised in Quinwood, born in
 24 Rupert, and now live in Rainelle, so I have a

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1 connection with all three of these towns.

2 I moved away from this area for most of
 3 my adult life and returned in 1983, because of an ill
 4 mother and wanting to be with her in the last years
 5 of her life.

6 I stayed here until she departed this
 7 life, and I found that I still loved this area.

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8 I came back and I found that there was a
9 lack of hope and faith of anything ever happening in
10 the area.

11 All of the people that sort of gave up
12 hope of anything coming in after the coal mines just
13 sort of played out. We relied on timber, and a few
14 other things, to maintain our livelihood.

15 But isn't it good to have faith, and
16 look forward to something that may happen?

17 I am glad that this group of men have
18 got together and give up a ray of hope for this area,
19 and I sure applaud them for their efforts.

20 Thank you very much.

21 MR. MCKOY: That concludes everyone that
22 I have listed to speak, if they had registered.

23 At this point in time I want to open the
24 floor to those who did not preregister to speak, but

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1 would like to speak.

2 Is there anyone out there who would like
3 to comment?

4 (Response.)

5 Come on up.

6 Please state your name for the
7 transcript.

8 MS. LEWIS: My name is Lynn Lewis. I
9 live in Rainelle.

10 I am not originally from West Virginia,
11 I am from Houston, Texas. I spent 22 years in the
12 military.

13 My last duty station was in Beckley,
14 West Virginia, and when I retired, I had fallen in

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15 love with West Virginia -- except for the month of
16 February -- and I decided to stay.

17 I am currently employed at Davis Stuart,
18 working with youth that are placed out of the home.

19 A couple of comments very briefly: When
20 I am working with youth in West Virginia -- ages
21 mostly 15 through 18 -- the subject of what are we
22 going to do when they grow up?

23 Unfortunately, I have to tell these kids
24 who are in small towns, that they may have to

71

1 consider relocating to larger areas because of
2 employment.

3 So it is really nice to see that there
4 is a possibility of getting some employment,
5 especially in the local area.

6 The other thing is that we are now in a
7 new millennium. We are past the year 2000. It would
8 be very, very, nice to have the rest of the nation
9 point to West Virginia as a leader in environmentally
10 friendly technology.

11 Thank you.

12 MR. MCKOY: Thank you for your comments.

13 Is there anyone else who would like to
14 comment?

15 MR. HAZELETT: Even though I am having a
16 bad hair day, I will take my hat off.

17 My name is Vernon Hazelett. I am from
18 Clintonville. My family has deep roots in this
19 county, in Rainelle, Quinwood, and Kieffer.

20 I have been following this project since

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21 it first became public, and I have some definite
22 concerns about it.
23 I agree with my good friend, Roger Ash.
24 I am for this project. I am for anything that will

72

1 bring economic development and jobs to Greenbrier
2 County.

3 I also agree with my good friend,
4 Fred Patterson.

5 We have been told all along, and even
6 early in the evening, that this was a nonprofit
7 entity and operation.

8 But we learned one other thing tonight,
9 there is a new entity here that this entire project
10 now hinges on, and that is the Western Greenbrier
11 Development Corporation.

12 I would pose a question to the promotors
13 of this project as to who owns the Western
14 Development Corporation, who, by the way, if you
15 caught it tonight, these people will own the gob
16 piles, so the gob piles are not free.

17 So would anybody like to tell me who
18 owns Western Greenbrier Development?

19 MR. WILLIAMS: Western Greenbrier
20 Development Corporation was organized in 1958. It is
21 a nonprofit corporation that developed the industrial
22 park in Rainelle.

23 It has a got a Board of Directors, and
24 we bought the gob pile in Anjean today at a

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1 bankruptcy sale to prohibit the land falling into
2 private hands. So that we would have public

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3 ownership of this land when it is cleaned up so that
4 it can be developed into a public park.

5 MR. HAZELETT: Thank you, very much.

6 Are you saying that the Western
7 Greenbrier Development Corporation is the Greenbrier
8 Valley Economic Development Corporation?

9 MR. WILLIAMS: No, sir. We were
10 organized long before they came into existence.

11 MR. HAZELETT: "We"? Can you tell us
12 who "we" are?

13 MR. WILLIAMS: Western Greenbrier
14 Business Development Corporation has been in business
15 since 1958.

16 MR. HAZELETT: Just one more thing that
17 concerns me.

18 The Department of Energy wants their
19 \$107 million back over the next 20 years. That is
20 \$5 million a year, beginning this year.

21 It looks like we are not going to have
22 any income out of this project until at least 2007,
23 or 2008.

24 One more thing: Do we know who owns the
74

1 land that the power plant will be built on?

2 MR. WILLIAMS: Yes, we do. My wife and
3 I own the 20-some acres, and the industrial park owns
4 the other 38.

5 MR. HAZELETT: Thank you very much.

6 MR. MCKOY: Thank you.

7 Those are excellent comments.

8 Do we have anyone else that would like

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9 to speak?

10 MR. McCLELLAND: Yes, sir.

11 MR. MCKOY: State your name, please.

12 MR. McCLELLAND: My name is

13 Gary McClelland. I was born and raised in Hines,
14 West Virginia, 65 years ago.

15 I live in Quinwood. I love Quinwood. I
16 lived at Crawley, I graduated from school in Rupert.
17 I have kinfolks in every town, and I love all three
18 of them. I love Greenbrier County.

19 I was not planning on getting up and
20 speaking, but I am an irish man, and irish men like
21 to talk once in a while.

22 But I do love my state, and I love my
23 county.

24 In 1955, I graduated from Rupert High
75

1 School in Rupert, West Virginia. I left here and
2 went into the military and stayed four years. I came
3 home for three months, and I stayed gone until 1985.

4 The fellow that spoke about his mother
5 got sick, and he came back. I lost my father, and I
6 came back to be with my mother.

7 I moved back, but I stayed on the road.
8 From 1955, until 1959, (sic, 1989). I built power
9 houses, called generation plants, chemical plants,
10 oil refineries. I built them all over the country,
11 from California to Maine.

12 When I say, "I", I mean "we".

13 I was out of the building trade with
14 these fellows up here who are representatives. But
15 everywhere I went and everywhere I built, they shoved

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16 the people.

17 I see about a 95 percent here are for
18 this thing, and I am thrilled. I am very thrilled to
19 see that this county -- folks, it is going to make
20 it. This is not going to get stop, it is going to
21 make it, folks.

22 We have got young people. I have got
23 young children, who are trying to stay here. Most of
24 them are in Texas, Houston, Dallas, Michigan. I have

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1 got some of my children, but I want the McClellands
2 to stay here, and I think that we will get it done.

3 I am looking forward to this project. I
4 am really for it, and I am glad to see a positive
5 action here.

6 I thank all of you folks, every one of
7 you, our delegates and our senators, and our former
8 senators, and these men that dream.

9 One of my favorite mayors, Mr. Monday.
10 I quit five years ago, and I am 45 years younger than
11 this fellow. No, I am not. I was just joking. But
12 he is still working, and I do pray that this thing is
13 going to go.

14 I just wanted to say that I appreciate
15 it.

16 Thank you.

17 MR. MCKOY: Thank you for the comments.

18 Do we have anyone else from the floor
19 that would like to speak?

20 I had a request from Delegate Tom
21 Campbell. So if we can start the second round, we

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22 will do that, if people want to speak again.

23 DELEGATE CAMPBELL: Thank you.

24 I will be very brief.

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1 I was recognizing some of the folks when

2 I started off today.

3 I certainly want to recognize

4 Senator Caldwell. She did speak to you as a very

5 important member of the team here working for

6 Greenbrier County.

7 Also, I mentioned former Senator Shirley

8 Love, who has been very active working for us.

9 Senator Wright has come up on the

10 project, and all three delegates in Fayette County,

11 Bobby Pino, Delegate Louisos, and Delegate Perry have

12 all signed off on this project, too.

13 It is important, I think, for all of

14 Greenbrier County, all of Fayette County, and all of

15 this area, and I think all of Greenbrier County is

16 behind you.

17 I would like to close by asking you a

18 favor: I would like to harness some of this energy,

19 if you would do me a favor -- I think some of those

20 from the delegate mentioned from conversations that

21 we have had that there will be a meeting right here

22 from the Chief of Staff of the Governor of West

23 Virginia, indicating that he will be working with us

24 Monday morning. He is out of the office this week,

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1 but he took the time to get back to us.

2 I would like to ask you if you have a

3 chance, just to take a minute and call the Governor's

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4 office and -- you probably won't get a chance to talk

5 to him -- but call the Governor's office and tell

6 them that you are interested in this project. That

7 word will get to the Governor and to Mike Garrison,

8 who we will be talking to next week.

9 The number is: 558-2000.

10 It is easy to remember, 558-2000. If

11 you can't remember it, call me and I will give it to

12 you.

13 Like I mentioned earlier, a few people

14 can make a difference, and that is how you can.

15 There is a lot of positive energy in this room

16 tonight. And I think that if we harness that, we can

17 get something for this town, and you can help us do

18 that.

19 So, if you would do that,

20 I would appreciate it.

21 Thank you.

22 MR. MCKOY: Thank you, Delegate

23 Campbell.

24 If there is anyone who would like to add

79

1 comments?

2 Okay. There are several people.

3 MR. MEADOWS: Charles Meadows.

4 I would like to address the fact that we

5 may have had some comments about certain problems

6 that we may address.

7 I noticed that some said that some

8 people may profit from this venture privately; I hope

9 we all profit.

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AUDIENCE MEMBER: Amen.

MR. MEADOWS: And if someone else

profits along with it, good for them. I hope to
profit from it myself.

Secondly, it has been talked about coal
trucks being overweight.

I, and my family, are very much
connected with coal trucking, and the coal-trucking
vendors, and they don't go overweight in any state,
or any highway in West Virginia.

If you don't believe it, look at the
fines that are leveled against them if they catch you
that way anywhere. So that is not a concern in this
project of overweight trucks, that is darn for sure.

I think that we have got something --

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the Bible says that if where there is no vision, that
people perish. There are too many people perished in
this area. We need a vision, let's keep it alive.

MR. MCKOY: Thank you very much for
those comments.

The person over here who wanted to
speak?

State your name.

MS. MUNDY: My name is Stephanie Mundy.

I am 27-years old, and the only reason I am standing
up here is just to say that I have kept in touch, and
stayed up on this, and my dad has given me a lot of
information, and I am totally for this, 100 percent.

I moved away in '93, when I graduated,
and just recently moved back. I just started a
business here and it was only with God's help that

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I was able to do that.

There is a lot of people my age out
there who want to stay in West Virginia, who want to
be around their families, they love their
communities, they want to raise their children in
this community.

I have a 4-year old that I want to raise
here. But, unfortunately, because of the jobs, you

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have to go somewhere else in order to support your
family.

I want to encourage everybody to support
this, but especially people my age because we are the
ones with the big mouths and we can get a lot of
things heard. Just support it.

Thank you.

MR. MCKOY: Thank you for those
comments.

Are there any other people that would
like to speak?

AUDIENCE MEMBER: (Female.) I just
wanted to make a comment that Governor Wise will be
at Tamarack Saturday evening.

So I think everyone in this room should
go to Tamarack Saturday evening.

AUDIENCE MEMBER: (Male.) I just have a
suggestion, give the Governor a copy of the
transcript, and make sure he reads it.

DELEGATE CAMPBELL: Individual contact
is still great, individual contact.

MR. MCKOY: Thank you, sir.

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23 Any other comments?

24 AUDIENCE MEMBER: (Male.) Sir, I invest

82

1 a little bit of money in the stock market, would I be
2 able to invest any money into this?

3 MR. MCKOY: I cannot answer that
4 question.

5 MR. WILLIAMS: No, this is not a stock
6 corporation. You cannot buy stock in this
7 corporation.

8 MS. CROOKSHANK: But, now, I thought the
9 County Commission -- I thought that we were going to
10 issue bonds, so that they could buy bonds. Is that
11 not right, Mr. Brown?

12 MR. BROWN: That is true, yes, bonds.

13 MS. CROOKSHANK: So, that is not the
14 stock market, but it is a way that everybody can
15 invest money, and make some money, hopefully.

16 MR. BROWN: Right, revenue bonds.

17 MS. CROOKSHANK: Revenue-sharing bonds.

18 MR. BROWN: Revenue bonds will be on
19 sale roughly two years from now, 17 months to two
20 years. It will be tax free, and they will be
21 marketed very much like stocks. You can purchase
22 them and it has all the benefits that a bond would.

23 MR. MCKOY: When you say tax-free, does
24 that mean no State tax, as opposed to Federal tax?

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1 MS. CROOKSHANK: I think that is State
2 tax, unless we could get qualified for the Federal,
3 but the State tax for sure.

4 MR. MCKOY: Is that both the State and

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5 the Federal?

6 MS. CROOKSHANK: Don't we have to get
7 certified? I think we have to get certified -- but I
8 know for sure it's State.

9 MR. WILLIAMS: It is both for Federal
10 and State.

11 MS. CROOKSHANK: Is it? Okay.

12 MR. MCKOY: Do you have any other
13 comments?

14 AUDIENCE MEMBER: (Female.) why does
15 this take so long, it seems like an awful long time?

16 MR. MCKOY: Power plants are very
17 complex.

18 AUDIENCE MEMBER: But you already know
19 what you want to build, how you want to build it,
20 basically where you want to build it; why is it
21 taking 17 months to build it?

22 MR. MCKOY: The details are pretty
23 complex.

24 MR. BROWN: The details, and the

84

1 permitting process, and the NEPA process that we just
2 launched here, all pretty much consumes the better
3 part of two years to bring it to reality.

4 MR. MCKOY: Any other comments?
5 Would you like to speak, sir?

6 MR. WALBECK: Luke Walbeck, Rainelle.

7 Most of you know that I have a roadside
8 park up here, just outside of Charmco, between
9 Charmco and Rainelle.

10 Like one of the previous speakers said

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11 that she came from Texas, well I came from
12 Wisconsin. Anyway, I have been to just about all 48
13 states, and I decided that it was either this state,
14 or one other, but I wanted to stay here, and retire
15 here, and everything else.
16 West Virginia looked so pretty. We came
17 here. I love it.
18 We have the Roadside Park, and I try to
19 help out several of the surrounding communities, I
20 have noticed quite a few things.
21 We have the Midland Trail coming down
22 and I get maybe about nine, or ten people throughout
23 the world that actually come right down the Midland
24 Trail stop here, and say how beautiful it is.

85

1 Oh, you have such a nice area. Be it
2 Germany, Sweden, Italy, whatever. I don't know that
3 walking up to them because their car says New York,
4 or Florida. When I find out that it is a rental car
5 they tell me.
6 I am happy. I am happy that they love
7 West Virginia; okay?
8 Roadside Park sees everybody -- no, this
9 is not a commercial -- but I wanted to help out the
10 community as much as I could. I see so much going on
11 and you people can see it, too.
12 Between the school, and everything else,
13 the east gets most of it, the west gets what seems to
14 be handouts. We can, with this plant, start getting
15 something on the west end.
16 Not only thinking about what you were
17 talking about before about economic, and everything

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18 else, but what about the travelers that are coming
19 through here, up and down the Midland Trail? If they
20 see something like this, word is going to start
21 spreading. Everybody is going to know about it.
22 They are going to start saying, Hey, I
23 went through this little town in West Virginia, they
24 are making something called Woodbrik. It is

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1 insulated, and everything else, and I had a chance to
2 take a look at it and watch it.
3 They are going to start talking about
4 this all over the place.
5 The three towns -- actually the whole
6 area around here -- need this very badly. We need
7 the jobs. We don't have to go running around, and
8 everything else, we need to have it here. The
9 western end needs it, and the world, hopefully, will
10 find out about it.
11 Thank you.
12 MR. MCKOY: Thank you for your
13 comments.
14 Would anyone else like to speak?
15 MAYOR WRIGHT: I am Gene Wright, Mayor
16 of Quinwood.
17 While we are on the subject of
18 electricity, we are so used to using electricity.
19 Most of the time, we don't think about it. We turn
20 on the T.V., microwave, coffee pot to make our
21 coffee.
22 There is a site on the Internet, Urban
23 Observatory -- and if anyone ever wants that address,

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24 you can get a hold of me at my place in Quinwood, and

87

1 I will be glad to get you that Internet address.

2 There is a picture that is made from one

3 of those satelites of the earth at night --

4 completely around the earth, covers all countries,

5 all of it -- it is a very amazing picture.

6 If you ever look at that, you need to

7 compare it with other countries on this globe, and

8 you will see an amazing difference. Absolutely

9 amazing difference.

10 We don't think about it, how it touches

11 our lives and it how it affects the rest of this

12 earth.

13 A friend of mine and I were coming in at

14 40,000 feet one night coming in from Florida, and we

15 could see many, many, cities -- a beautiful clear

16 winter night. I made the remark about what would

17 happen if somebody hit the master switch and there

18 was no electricity.

19 Think about it.

20 Think about what would happen to you, to

21 your family, and the rest of this world. It is

22 amazing what we are accustomed to, and can't do

23 without.

24 What happens if the power goes out?

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1 Look at Iraq, the war. What happened

2 over there? Those people, the whole country, not

3 only do not have a power problem now, but they have

4 had this problem for years, it is sporadic. Look how

5 poor they are. They are industrialized people poor.

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6 Think about it; what would happen if the

7 big switch goes off?

8 Thank you.

9 MR. MCKOY: Thank you, Mayor, for those

10 comments.

11 Would anyone else like to speak?

12 MR. ASH: Roger Ash. I would not be

13 able to sleep with myself tonight, and poorly for the

14 rest of my life, if I allowed it to be unsaid, and

15 not wishing to say it myself, I was hoping someone

16 else would do it.

17 No one has, but I know there are others

18 here that feel the same.

19 I do not understand how one government

20 agency can give money to another one. It is against

21 the Constitution.

22 Government cannot be in business. I am

23 100 percent for this project, but private industry

24 must have their hands in it.

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1 Private industry must build brick. The

2 Government, and the three mayors of the three cities,

3 they are exactly that, they are a government.

4 The government cannot -- if this

5 happens, it is my understanding that there is to be a

6 senior citizen's apartments. So now they are

7 building apartments.

8 What if, on down the road, some other

9 company says, Hey, let's do the same thing. Some

10 other Government agency decides to go into business,

11 maybe they want to start bottling coal.

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12 What if some other Government agency
13 wanted to start building automobiles.
14 I am for this project, but it must
15 somehow be privatized, and not owned by three cities,
16 which is government. That is not Constitutional.
17 We all want this -- well, basically all
18 of us -- we need it, and it is a good thing, but good
19 things can turn out wrong.
20 If this cracks the Constitution, if
21 those goes, and it will, government cannot give money
22 to another government, and that is basically what is
23 happening.
24 They are going to grant money -- give --
1 to another government, and they are going to build
2 and go into business.
3 We have got block companies here in this
4 area, Houchins' in Beckley, Snider's in Caldwell; how
5 are they going to build about 15 homes worth of brick
6 a day, that is basically what it would bill out to.
7 Enough bricks to build 15 new homes a day.
8 Folks, we are on dangerous ground.
9 The project can still go forward and be
10 Constitutional. We cannot break private ownership in
11 this country. Government cannot do all things for
12 us, and must not. It is communistic, and it is
13 basically wrong.
14 It was one of two things that scared
15 Thomas Jefferson that Government would become the
16 producer for us.
17 Private ownership. Somehow, work it
18 out, where you and I, if we choose to own stock, we

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19 are private. It has got to be privatized. It cannot
20 be owned by the Government, and that is what a city
21 is, a government.
22 MR. MCKOY: Thank you for those
23 comments.
24 I have another person that wants to
1 speak.
2 Please come up and speak your name for
3 the transcript.
4 MAYOR ADAMS: I am Pete Adams, the Mayor
5 of Rainelle.
6 I am sorry I didn't speak earlier.
7 I would like to say thank you to
8 everyone that has come out to support us tonight.
9 I listen to these things that are spoken
10 by the eastern end of the county people, that spend a
11 lot of time babbling at the courthouse; I would
12 really appreciate it if you don't have anything good
13 to say about this, then stay over there and do it
14 over there, not here.
15 Thank you.
16 MR. MCKOY: I have another comment.
17 Please state your name.
18 MS. WALBECK: My name is Patricia
19 Walbeck, and I just wanted to come up here and let
20 you guys know that I was born in Rainelle in 1951.
21 You can do the math, I don't care.
22 I was the oldest of seven children. My
23 mother and dad, my family, moved away to Virginia in
24 1960, because there was no work.

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1 The day I left, I said that I would be
2 back to West Virginia. I am home. I am the only one
3 out of seven kids that even thought about returning
4 to this area. The rest of them won't even going to
5 attempt it.

6 I live here now, my children are gone to
7 another state because they can't find work here.

8 My opinion? I want them back. I want
9 them home.

10 Thank you.

11 MR. MCKOY: Thank you.

12 Do we have any other comments?

13 MR. BROWN: With regard to ownership
14 interest and private ownership issues, and that
15 subject. There is a big part of me who is very
16 sensitive to that subject.

17 I think there is a proper role for
18 government, and a proper role for private industry,
19 with a proper level of regulation and whatnot.

20 And if we look at how our society gets
21 involved in the effects of regulation, it is obvious
22 that it is a very complicated matter, to get those
23 guidelines properly setup.

24 But I believe that there are many

1 entities, the water company, the sewer company, there
2 is a legitimate role for government in certain
3 service areas.

4 What we are attempting to do with this
5 eco-park is a public/private partnership. Where the
6 catalytic engine, the power plant, and the woodbrik

7 factory are the catalysts, but all of these
8 businesses which surround the catalysts are privately
9 owned, absolutely normal stocked companies in every
10 sense of the word.

11 It is our firm belief that that
12 catalytic element is missing, and that is why I would
13 say we have not made more progress than we have.

14 I believe that it will work, that will
15 be an effective catalyst. Now, we will have to look
16 back on it 10 years from now to be sure, but I think
17 it will work.

18 I think there is a trim line throughout
19 our society of public/private partnerships that can
20 do things that neither can do alone.

21 As much as we would like to be a black
22 and white world, in this area, it is not.

23 I really think that we have got to
24 embrace the idea of working closer together on a

1 public/private basis, and we are seeking to do
2 exactly that on this project.

3 But I admit to great sensitivity to this
4 issue, and all of us should be sensitive to it, but
5 there is a logical solution, and that is what we are
6 trying to create.

7 Thank you.

8 MR. MCKOY: Thank you, Wayne Brown.

9 MR. ZOPT: My name is Ed Zopt, Z-O-P-T.

10 I have listened very patiently
11 tonight -- and I hope you will bear with me, I have
12 got a little thing here that the Mayo Clinic calls

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13 chronic degenerative -- and I said, Stop right there.

14 I just want to take a moment.

15 I mean, there has been so many wonderful things said
16 here tonight, by-and-large, but I represent some of
17 the old timers.

18 My brother and I grew up in Rainelle.

19 Just for a moment, I would like to look back for a
20 minute.

21 I remember when Meadow River Lumber
22 Company was the largest hardwood mill in the world.

23 It had about 6- or 700 hard-working
24 people. My dad was one of those people. He ran a

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1 flooring machine that made tongue-and-groove flooring
2 that was sold all over the world; maple, cherry,
3 walnut.

4 Today they have it in the
5 waldorf-Astoria in New York City. There is a parquet
6 floor from Meadow River Lumber Company.

7 Meadow River Lumber Company was ahead of
8 its time.

9 Really, two men, by the name of John and
10 Tom Romey came in here in the late 1910, '11, '12,
11 '13, somewhere along in there -- but they came in and
12 opened up this Meadow River Lumber Company.

13 By the way, my father, running that
14 flooring machine at Meadow River Lumber Company, got
15 35 cents an hour, for running that flooring machine
16 and it was not uncommon for him to work two weeks and
17 have \$60.

18 He would tell my mother when he came
19 home, he said, Ethel, we have got to make ends meet.

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20 And he would take his buckle and do like this

21 (indicating) he was an old tongue-and-groover man.

22 But the point was, we only had a limited
23 amount of money to do things.

24 After all of these years, this area,

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1 western Greenbrier County -- and I have talked to
2 Wayne so many times about there is a lot of man-made
3 things going on in this world, but I am sort of
4 naive, I guess, I have got to believe that this is a
5 devine appointment from our heavenly Father.

6 I think that it will offer an
7 opportunity for young people of this area that -- you
8 know back in the World War II, some of our people
9 went to Ohio, that is when they named it GTO, that
10 means, "Gone To Ohio".

11 The opportunity that exists here today
12 for people to raise their families here with the
13 three little communities of Rainelle, Rupert, and
14 Quinwood to advance.

15 I would like to just take a moment, if
16 I may, if I have your permission; do I have your
17 permission?

18 Quinwood's annual budget is \$27,000, a
19 year, of which about 8- or \$9,000 goes to the
20 Appalachian Power Company for electricity.

21 All of our utilities in the Town of
22 Quinwood, including the Mayor, the Council, everyone,
23 donates their time there. They don't even take a
24 check for being mayor, or for being councilmen.

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1 Everything is volunteer. And it is amazing what the
2 people of Quinwood, West Virginia, have done up in
3 Quinwood.
4 If you don't believe me, just come up to
5 Quinwood. They have rolled up their sleeves and gone
6 to work. And by the way, that wouldn't be a bad idea
7 for a lot of people in this world. To roll up our
8 sleeves and go to work.
9 I am getting a little bit emotional.
10 There are a lot of things that I really wanted to
11 say.
12 First and foremost, I do want to
13 compliment the people that have come in here today
14 because I believe in my heart that this is really the
15 only opportunity that we are going to have in western
16 Greenbrier County for a lot of years.
17 And it is not fair for us to sit around
18 and talk about it, we have a got to band together as
19 people. We have got so many things going today that
20 is in favor of this.
21 Someone said earlier that it is a
22 win/win proposition.
23 I know that there is some other things
24 that I would like to say, but overall, I just simply
98
1 want to say that we just need to continue to work as
2 a group, and I am very indebted to all of these
3 people who have come in here from the Department of
4 Energy all of the engineering people, and all the
5 people that come in and get this many people
6 together. So let's continue to work together.
7 Thank you.

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8 MR. MCKOY: Would anyone else like to
9 speak?
10 MR. WILLIAMS: Buck Williams.
11 I know you all are getting saddle sores
12 like I am, but I just wanted to remind you of two
13 things: Number one, they gave you the Governor's
14 phone number. Don't be afraid to dial the number.
15 When you call up, someone is going to
16 ask who you are, and where you are from. All you
17 need to do is give your name, date, date of birth,
18 whatever they want. Tell them where you are from,
19 and tell them in very simple words, I want this, and
20 I am in favor of this co-generation plant, period.
21 You do not have to get into a big long
22 deal. Usually, they get enough calls where they say,
23 Yes, sir, we will give the Governor, personally, your
24 regards, if you believe that. But that is
99
1 important.
2 The other thing is: The NEPA process is
3 very, very, time consuming, and it is very lengthy.
4 So I would encourage you before this
5 project, when you go out, you don't have to talk to
6 anyone, but take one of the written cards. One for
7 you, and one for your wife, and one for all of your
8 people, and whatever you do, go home, fill them out,
9 and send them in.
10 It is very important that you get the
11 mass of information that you want from them.
12 And if it is the wrong thing, you need
13 to tell them.

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14 Thank you.
15 MR. MCKOY: Thank you for those
16 comments, and particularly thank you for that last
17 comment.
18 Power plants are a serious issue, and
19 you certainly have to properly look into the
20 potential environment impacts of this project.
21 Our main goal here is to find out what
22 your concerns are, and if you have those concerns
23 tonight with regard to jobs.
24 More importantly, I am particularly glad
100
1 to hear about the problems that you have had in the
2 past with government mitigation, that there are
3 concerns regarding truck traffic, and a number of
4 other issues.
5 Would anyone else like to speak?
6 MR. ASH: Roger Ash, Grassy Meadows.
7 Mr. Brown's statements did not repair my statements.
8 The Constitution is still being broken.
9 One government agency cannot loan money
10 to another, to produce a products. And these are
11 loans, they are not given.
12 You say that somewhere in the waive of
13 the future, they may -- catch the word "may" let us
14 own the brick.
15 But what are they going to do, survey it
16 off? I don't believe so.
17 DOE, I ask you before this goes forward,
18 to require them to show you where it would be
19 privatized. Make them come to our terms. We have
20 the power to do so.

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21 I am not against this project. I want
22 it to go ahead, but it must, in some way, be
23 privatized, and plan for it, not "may".
24 It is possible.
101
1 MR. PATTERSON: I just wanted to second
2 Roger on everything that he said. I just want to add
3 something; West Nile Virus.
4 With the West Nile Virus, we are going
5 to get eaten alive.
6 MR. MCKOY: I think that probably
7 concludes the formal comment period.
8 Again, keep in mind the closing date for
9 your comments.
10 If you want to submit a written comment,
11 give me a call. That will be July 3, 2003.
12 Let the record show that the comment
13 period has ended at 9:14.
14 Thank you very much.
15 (Public hearing concluded.)
16

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1 STATE OF WEST VIRGINIA, To-wit:
2 I, Michele G. Hankins, a Notary Public and
3 Court Reporter within and for the State aforesaid, do
4 hereby certify that the Public Scoping Meeting was
5 taken by me and before me at the time and place
6 specified in the caption hereof.
7 I do further certify that said testimony was
8 correctly taken by me in stenotype notes, that the
9 same was accurately transcribed out in full and

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10 reduced to typewriting, and that said transcript is a
11 true record of the testimony.

12 I further certify that I am neither attorney
13 or counsel for, nor related to or employed by, any of
14 the parties to the action in which these proceedings
15 were had, and further I am not a relative or employee
16 of any attorney or counsel employed by the parties
17 hereto or financially interested in the action.

18 My commission expires the 29th day of December
19 2003.

20 Given under my hand and seal this 29th day of
21 July 2003.

22

23

24

Michele G. Hankins
Notary Public
Court Reporter

PUBLIC PARTICIPATION - COMMENTS & COMMUNICATIONS

WESTERN GREENBRIER CO-GEN POWER PROJECT

#	RESPONDENT	DATE; TIME / SOURCE	COMMENTS/CONCERNS
1	Margaret Janes Appalachian Center for the Economy and the Environment	5/7/03 (am) e-mail	FOIA request for any and all info re the WGC project.
2	Fred Patterson Monte Meade Farms	6/11/03 (am) e-mail	Wanted names and ph numbers of DOE people in charge of monitoring the WGC project.
3	Rodger Ash	6/12/03 (am) ph. call	Why put project on wetlands? Why not put project on dry land? Lots of dry land areas are available. Concerned that loss of wetlands will require mitigation, which might occur in Grassy Meadows area where the land owners do not want more wetlands. Concerned that created wetlands would spread the wetlands designation and associated land use restrictions onto lands adjoining the wetlands mitigation project, thereby adversely affecting the owner's enjoyment and use of their own land – A regulatory taking.
4	Halsley Carr	6/24/03 (am) ph. call	Wanted basic info – logistics – re the project.
5	John Deets	6/24/03 (am) ph. call	John wanted to put us in contact w/ Aerofab, re an invention to dehumidify air at the intake port for the combustor. John believes that this would reduce the formation of acid rain.
6	George Schults RUS	6/24/03 (am) got ph. message	George is with the Rural Utilities Service, which has been approached by WGC regarding a bridge loan. George wanted to know the status of the WGC project and whether environmental issues would possible hold-up the project. George wants DOE to contact Larry Wolf, chief of the RUS environmental division, regarding the use of the NEPA process to satisfy the RUS NEPA requirements.
7	Mary Nutter	6/21/03 (am) e-mail	Had question re (1) Will public get to see the results? (2) Is the plant in CO still operational? (3) Can we ask the community questions re their plant? If the plant that is proposed here doesn't work out, will we have a white elephant? (5) Who will pay property taxes on the proposed plant? (6) Is our plant one of the eight already chosen (for funding)...?
8	John Harris	6/25/03 ph. call	Seeking business opportunities. Owns and operates a small construction firm.
9	Kerry Moss NPD-GRD	6/27/03 email	Wants copy of draft EIS for National Park Service review.
10	Louis Zeller Blue Ridge Environmental Defense League	7/02/03 ph. call	BREDL requested more technical information.
11	Barbra Douglas US Fish & Wildlife Service Elkins, WV	7/02/03 ph. message 7/03/03 ph call 304-636-6586	Barbra informed DOE that an endangered or threatened plant, <i>Virginia Spirea</i> , inhabits the stream banks along the Meadow River to the North of Rainelle. There is no indication that the plant inhabits the Sewell Creek area, but it is possible. Barbra suggested that DOE do a search along the stream banks for these plants before disturbing the area.

#	RESPONDENT	DATE; TIME / SOURCE	COMMENTS/CONCERNS
12	Margaret Janes Appalachian Center for Southern West Virginia	7/03/03 ph call	Wanted to know whether the Anjean Site predated the surface mining and reclamation act.
13	Dale Morlock National Park Service	7/03/03 email	Dale wants to be included on all mailing for this project.
14	Marcia & Jim Leitch Coordinator WV Interfaith Global Climate Change Campaign	7/02/03 7/29/03 7/30/03 Email	Marcia emailed some questions re project.
15	Lyle Bennet WVDEP Div. Water & Waste Mgmt	7/30/03 ph. message	Lyle asked to be listed as the contact person for his division re the project (at WVDEP).
16	Christy Stoll	8/13/03 email	Christy requested a copy of the draft EIS and the scoping documents, when they become available.
17	Ray E. Ratliff, Jr.	Letter received 9/2/03	Expressed opposition to this proposed project and to all coal-fired power plants because such plant cause increased air pollution, a lack of need for more electricity generation capacity, increased coal truck traffic, mis-allocation of Federal funds (which should be used for project with much lower impacts), insufficient waste coal supplies, and cumulative impacts from other similar power plants that are proposed for the SW West Virginia region. Requested that the EIS be produced by WVDEP.
18	Ken Ward Charleston Gazette	Ph. call 10/1/03	Ken had a few questions to ask as an info gathering process for a news paper article. He requested a copy of the technical proposal.
19	Paul Knighten Charleston Gazette	Ph call message on 10/24/03.	I returned the ph. message on 10/27/03. Needed some general info from the NETL website.
20	Joe Myers Beckley Register (newspaper)	Ph. call message on 11/13/03	Joe called to ask about the status and timeline for the EIS. Joe also asked about adverse comments from Margret Janes, the Sierra Club and others. Joe wanted to know how much negative feedback we had gotten and who had given it. Joe also asked whether we would investigate and report on the usage of tax dollars to clean-up the Anjean (and other) gob piles, as opposed to using industry-paid special reclamation funds for this purpose. He was also interested in why DOE selected this project for funding, given that this project was not like the others which are projects to reduce emissions of air pollutants.
21	Janet E. Lyons	email	The Document Retrieval Center of the Environmental Assessment Division wants to be put on the mailing list for the EIS (and the Draft?).
22	Halsley Carr	2/2/04 (pm) ph. call	Halsley wanted an update on the project, for reporting in the Engineering News Record. He asked about the projections for the start of construction.

August 27, 2003

Mr. Mark L. McKoy
US Dept. of Energy
National Energy Technology Lab
P.O. Box 880
Morgantown, WV 26507-0880

Re: Proposed Western Grbr. Co-Production
Demonstration Project
NOTICE OF OPPOSITION

Dear Sir:

We have recently learned of the proposed Western Greenbrier Co-Production Demonstration Project to be sited somewhere near Rainelle in western Greenbrier County, WV. We have a farm/residence near Frankford, WV, in the northeastern part of the county. Our mailing address for your purposes is :

P.O. Box 278
Frankford, WV 24938

We would like more information, and request you to send us a copy. From all appearances, however, we would oppose any so-called "clean coal" project for the following fundamental reasons:

- (1) A coal fired power plant is a coal fired power plant and not a "clean coal project, regardless of the coal source, with major east/northeast air pollution consequences under the current state-of-the-art technology. Northeastern Greenbrier County, where we live, already has numerous hazy days caused by air pollution, with air quality readings that significantly violate the federal clean air guidelines. The proposed power plant will significantly add to the degradation of the air shed.
- (2) All the recent news regarding the "black out" has emphasized the point, repeated here, that the USA has about 20% excess generation capacity, despite a shortage of transmission capability. Why spend federal dollars to build another coal fired power plant at this time or in the foreseeable future?
- (3) This "clean coal" proposal entails the clean up of the Anjean coal waste pile by transporting the waste to an "ecopark" near Rainelle, where it is burned to produce electricity. The roads are curvy, mountainous and two lane. Does the proposal assume the use of overweight coal trucks (120,000 lbs or more)? If so, what are the specific road segments and distances to be so used? Regardless of the tonnages, is scenic Rte. 60, with the designation as a scenic by-way for tourist purposes, to be used?
- (4) Why do not these federal dollars under the DEP's demonstration project have alternative fuel sources, with low impact fuels, as a priority ?

(5) The Anjean gob pile would seem to be a temporary source for a big power plant like this. What happens in your projection of the plant's future sources of coal?

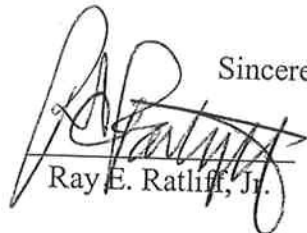

(6) We reserve the right to raise other points based upon the information you provide.

In addition to these specific objections to this specific project, we now understand that this project is the first of five proposed coal burning plants in southern WV, including other areas of Summers and Mercer Counties. The northeastern part of Greenbrier County is basically the catchment area formed by the big mountains to the east (Peters/Greenbrier Mtn complex, etc) and north (Cold Knob/Droop, etc.) for air pollutants from the southwest, including the close by areas of Summers and Mercer Counties, that funnel north by northeast. Therefore we oppose this project for the additional reason that:

(7) Considering the cumulative effect of this and other such projects, the air shed in eastern /northeastern Greenbrier County will be significantly degraded.

Preliminarily, we request a full Environmental Impact Statement and complete analysis done by DEP (not the applicant), and specifically oppose anything short of that.

Please lodge this notice of opposition in the file of the matter, and keep us informed.

Sincerely,

Ray E. Ratliff, Jr.

Mary P. Ratliff

RER

cc: Senator Robert C. Byrd
Senator John D. Rockefeller
Representative Nick J. Rahall



SIERRA CLUB

WEST VIRGINIA CHAPTER

P.O. Box 4142
Morgantown, WV 26504

July 3, 2003

NEPA Document Manager:
Mr. Mark L. McKoy
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 880
Morgantown, WV 26507-0880

RE: Notice of Intent in the Federal Register for the Western Greenbrier Co-Production Demonstration Project, 68 FR 33111, June 3, 2003.

Dear Mr. McKoy:

Please accept these scoping comments on behalf of the 1600 members of the West Virginia Chapter of Sierra Club. We appreciate the opportunity to cooperate in determining the scope of the proposed EIS.

The West Virginia Chapter Executive Committee adopted a position in January 2001 "to oppose the siting of new fossil-fuel fired power plants that do not provide for emission offsets." We believe that it is critical to work to reduce net emissions of air pollutants in West Virginia, and that Clean Coal technologies should only be used where they offset emissions of older dirtier power plants. New power plants, no matter how clean, will only increase the total emissions in the state unless they lead to the clean-up or shut-down of older dirtier technologies. Therefore, it is critical that this objective be incorporated into the alternatives addressed by this EIS. While we recognize that the proposal by project proponents must be considered as one alternative, any alternative that does not lead to a net emissions reduction for West Virginia should be considered a "non-starter" by DOE and need not be considered in detail in the EIS.

Alternatives to be Considered.

We urge that you consider a broader range of alternatives than appears to be indicated in DOE's "Background Information and Potential Environmental Issues" for preparation of the EIS where DOE states:

"... when dealing with applicants for financial assistance awards under the Clean Coal Power Initiative program, the scope of alternatives is necessarily more restricted because DOE must focus on alternative ways to accomplish its purpose that reflect both the applications before it and the functions that DOE plays in the decision process. As a grantor of financial assistance awards under a competitive open solicitation, DOE must give substantial deference to each applicant's needs in establishing a project's reasonable alternatives."



"Not blind opposition to progress, but opposition to blind progress."

If, in fact, DOE plans to consider only the action and no-action alternatives, the EIS will be clearly deficient in analyzing project outcomes or in reaching a good decision. The concept of considering only the project proponents' alternative and "no action" means that DOE is essentially removing itself from the kind of rational review and good environmental decision-making envisioned in NEPA. This limited approach allows private entities to undergo less stringent review than similar projects initiated by the federal government thus driving the agenda of DOE and minimizing the potential to reduce or eliminate environmental impacts.

We further recommend that two "No Action" alternatives be assessed. In addition to a "No Build" alternative, a No Action alternative be designed to compare the environmental outcomes of a Clean Coal project with a project that uses renewable energy sources such as wind or solar without the use of Clean Coal technologies.

Issues to Be Analyzed

The Western Greenbrier proposal is identified as a "demonstration project". As such, it sets precedents for fuel use and technology applications that will impact the region and the nation well into the future. In fact, the project sponsors state in their Clean Coal Power Initiative application that "the project is expected to catalyze the demonstration of an entire eco-park complex distributed network" of at least four additional 150 MW co-production facilities planned for southern West Virginia. Thus, any environmental impacts or policy decisions relating to this plant are disproportionately great because it will serve as a model and stimulus for the other plants in the network and additional projects across the country. Therefore, it is critical that the EIS assess the potential impacts from the Western Greenbrier plant in terms of the impacts of the additional plants as the technologies demonstrated by the project are duplicated throughout the network. If, on the other hand, future power generation projects are not built (an outcome that we view as quite likely), the EIS should clearly conclude that the "Demonstration" goal for the project is not met. Funding should be contingent on meeting this "Demonstration" goal so that the Clean Coal Power Initiative remains credible as something other than tax-payer financed welfare for the coal industry.

This assessment must include an analysis of impacts to global climate change from the continued use of coal versus efforts to encourage power conservation or the use of other fuels. Much of the analysis for this issue will be determined in the design of alternatives. If all alternatives considered include either carbon sequestration or offsets of carbon dioxide emissions (as proposed above), much of the complexity and uncertainty of global climate change modeling can be avoided, thereby greatly simplifying the analysis required by the EIS. If, contrary to our recommendations, alternatives are analyzed that do not implicitly remove the issue of carbon emissions, those alternatives must consider in detail the direct contribution of this plant, the indirect contributions of subsequent plants, and the cumulative impact that Clean Coal technologies would have on global climate change if sequestration or offsets are not considered. We note that climate change is frequently not considered in the EIS of many federal projects because it is judged to be "beyond the scope" of the project analysis. Yet this is clearly not appropriate for the Western Greenbrier project as future restrictions on carbon emissions will certainly affect the economic and environmental viability of this project, and as such, are critical to making good decisions on this project.

As required under the Clean Air Act, Clean Coal demonstration projects such as Western Greenbrier must use Best Available Control technologies. Alternatives analyzed must include add-on technologies such as flue gas desulfurization and low-sulfur fuels as BACT. We note that some older fluidized bed boilers do not include scrubbers and other pollution control

devices. While we recognize that fluidized bed boilers have lower emissions than conventional boilers, the best available controls consistently occur when fluidized bed boilers are coupled with scrubbers and other pollution control devices. The reliance of the proposed project on waste coal co-fired with significant amounts of high grade new coal also promotes continued mountaintop removal coal mining and the subsequent environmental devastation those mining practices entail. The EIS should not allow the environmental outcomes to be pre-determined by the applicant's proposed fuel source. While there are environmental benefits from clean-up of coal gob piles, these should be balanced in the BACT analysis by the excess emissions associated with use of low-grade fuels, compared to emissions scenarios where high-BTU, low-sulfur coal is used.

We further recommend that the volume and quality of coal gob reserves be assessed in comparing alternatives. We are aware of other projects (e.g., the Grant Town fluidized bed power plant in Marion County, WV) where the plant was originally developed to burn coal gob piles. At the time, project proponents assured the public that there was a 30-year supply of burnable coal gob. Less than 10 years later, the plant operators found that they had run out of suitable coal gob, and have been searching for suitable fuels ever since. They are now accepting materials from SuperFund sites, have experimented with tires as fuel (with significant increases in pollution) and are now burning freshly-mined coal instead of the waste coal gob originally proposed. Based on this history, a thorough analysis of the quantity and quality of coal gob reserves must be documented and the default assumption should be based on the actual experiences at places like Grant Town, rather than overly optimistic wishful thinking of project proponents.

The Western Greenbrier project is proposed as the "center of a synergistic eco-park,". DOE admits the project is a "high-risk" activity that utilizes unproven technologies that may not be commercially viable. To assure good decision-making, the EIS must evaluate the build alternatives considering the plant on its own without taking credit for secondary environmental and economic projects that may never come to fruition. This experience again should benefit from the past history of plants such as Grant Town which proposed numerous industries that would benefit from co-generated steam heat for subsequent industrial park development. In fact, the Grant Town power plant still sits alone with no other industries using the waste heat almost 15 years after the plant became operational. Since there are no contractual agreements that assure any additional industrial activities will be carried out over the life of the Western Greenbrier plant or proof that they will meet environmental claims – this alternative is far more likely than the assumption of subsequent industrial development.

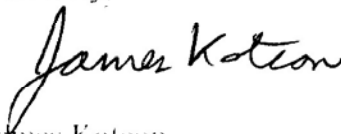
Other issues that should be analyzed within the scope of this EIS include:

- Emissions of nitrogen oxides, and impact on ozone levels.
- Emissions of sulfur dioxides and impacts to acid deposition, especially in the vulnerable, poorly buffered, Appalachian headwater streams.
- Emissions of toxic heavy metals, both direct and cumulative impacts of 30 to 50 years of emissions.
- Emissions of radionuclides.
- Emissions of particulates, and health effects to humans and wildlife. This should especially address health impacts to sensitive populations, including senior citizens, children with asthma and other respiratory disease, and miners with Black Lung and related respiratory disease. In particular, health impacts of emissions of both PM 10 and PM 2.5 should be assessed individually and cumulatively.

- Indirect emissions from truck exhaust and fugitive dust emissions associated with transport of limestone, coal and coal gob.
- Visibility impacts to Class I areas such as Dolly Sods Wilderness Area and Shenandoah National Park.
- Noise impacts to surrounding residents and to receptors along truck haul routes.
- Economic impact of reductions in property values of adjacent properties due to power plant development.
- Economic impact of future ozone non-attainment designations. We note that Greenbrier County is already near the EPA standard for ozone and additional emissions may push the area across the threshold for non-attainment, resulting in significant adverse economic impacts to Greenbrier County. We note that Greenbrier County already exceeds EPA's health standard for ozone on at least two days every year for the last four years, suggesting that it is very near this non-attainment threshold.
- Economic impact to highways and bridges, especially as a result of use of overweight trucks exceeding engineering limits of bridges and highways. The EIS should also recognize that the overwhelming majority of coal trucks in West Virginia haul loads that dramatically exceed established weight limits. Thus the actual impact is substantially greater than would be the case if legal weight limits are assumed.
- Impacts of fly ash and other waste disposal practices. The analysis should recognize that, under West Virginia's solid waste rules, so-called "beneficial uses" are allowed (and routinely employed) whereby ash may be disposed in fills without any requirements for liners, ground water monitoring, or other environmental protections.
- Impacts to area streams and ground water resources from waste heat disposal, both in terms of water removals, and temperature increases from heated water returns. This analysis, again, should be based on the assumption of no co-generation use of waste heat. Alternatively, if cooling towers are used for waste heat removal, the impact of water vapor on area microclimate (increased fog and cloud cover) should be considered.
- Potential impacts to listed Threatened and Endangered Species.
- Impacts to land and aquatic wildlife resources, both from the plant, and from anticipated mining and subsequent land disturbance.
- Impacts to historic and cultural resources.
- Impacts to recreational resources.
- Environmental justice issues. Will this facility create impacts that disproportionately affect low-income, under-educated or minority communities? We note that most of West Virginia would meet the low-income and under-educated criteria for environmental justice concerns.

Thank you for the opportunity to comment. Please send us a copy of the Draft EIS when it becomes available.

Sincerely,



James Kotcon
Chapter Executive Committee



United States Department of the Interior

FISH AND WILDLIFE SERVICE



West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

JUL 01 2003

Mr. Mark L. McKoy
NEPA Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
Post Office Box 880
Morgantown, West Virginia 26507-0880

Dear Mr. McKoy:

The U.S. Fish and Wildlife Service (Service) has reviewed the Federal Register, Vol. 68, No. 106, Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Western Greenbrier Co-Production Demonstration Project, Rainelle, West Virginia, and Notice of Floodplain/Wetlands Involvement. The project would evaluate the economic feasibility of a relatively new, compact design for an atmospheric-pressure circulating fluidized bed combustor system, and it would also test the commercial feasibility of using coal combustion ash and wood wastes to make structural bricks for use in the construction industry. The following comments are provided under the authority of the National Environmental Policy Act (33 Stat. 852, as amended; 42 U.S.C. 4321 et seq), the Endangered Species Act (87 Stat. 884; as amended; 16 U.S.C. 1531 et seq) (ESA), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Only one federally listed species under the jurisdiction of the Service, the Indiana bat, Myotis sodalis, could occur in the vicinity of the project. This species may use the project area for foraging and roosting between April 1 and November 14. Indiana bat summer foraging habitats are generally defined as riparian, bottomland, or upland forest, and old fields or pastures with scattered trees. Roosting/maternity habitat consists primarily of live or dead hardwood tree species such as shagbark hickory, which have exfoliating bark that provides space for bats to roost between the bark and the bole of the tree. Tree cavities, crevices, splits, or hollow portions of tree boles and limbs also provide roost sites.

The Service has determined the number of acres of suitable foraging and roosting habitat on the West Virginia landscape available to each Indiana bat known to occur there. On that basis, we have determined that small projects, generally affecting 17 acres or less of suitable foraging and roosting habitat, will have little chance of resulting in direct or indirect take of the species and is

therefore considered discountable. If 17 acres or less will be removed, tree removal can occur at any season of the year. If more than 17 acres will be disturbed, the Service recommends one of two options.

Option 1:

Mist net surveys can be conducted to determine if the summer foraging and roosting habitat within the area affected by the proposed project is occupied. A survey plan should be submitted to the Service and the West Virginia Division of Natural Resources (WVDNR) for concurrence prior to conducting the work. The survey should follow the standard Indiana bat mist net protocol from the Draft Indiana Bat Recovery Plan, and be conducted between May 15 and August 15 by a qualified mammalogist with experience in identifying Indiana bats. These data should be incorporated into an Environmental Impact Statement. In addition, if Indiana bats are collected, consultation pursuant to section 7 of the ESA should continue with the Service's West Virginia Field Office.

Option 2:

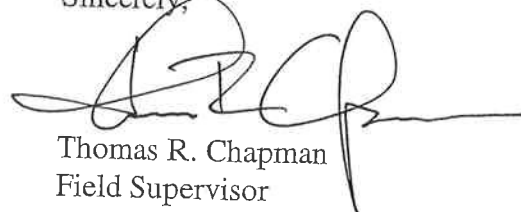
Assume Indiana bats are present and schedule timber removal operations during the hibernation period, between November 15 and March 31. If this option is chosen, the developer must then submit a calculation of the percentage of area of suitable habitat that would remain within a two-mile radius of the center point of the proposed disturbance to the Service's West Virginia Field Office.

Regardless of the option chosen the decision and/or survey results should be incorporated into an Environmental Impact Statement. This information should also be submitted to the Service's West Virginia Field Office pursuant to section 7 of the ESA.

As you have concluded, numerous wetlands occur in the vicinity of the proposed project. Definitive determinations of the presence of waters of the United States, including wetlands, in the project area and the need for permits, if any, are made by the U.S. Army Corps of Engineers. They may be contacted at: Huntington District, Regulatory Branch, 502 Eighth Street, Huntington, West Virginia 25701, telephone (304)529-5710.

If you have any questions regarding these comments, please have your staff contact me directly by phone at (304)-636-6586 or at the letterhead address.

Sincerely,



Thomas R. Chapman
Field Supervisor



United States Department of the Interior

NATIONAL PARK SERVICE

NEW RIVER GORGE NATIONAL RIVER
GAULEY RIVER NATIONAL RECREATION AREA
BLUESTONE NATIONAL SCENIC RIVER

104 Main Street

P.O. Box 246

Glen Jean, West Virginia 25846

IN REPLY REFER TO:

N3615 (NERI)

July 1, 2003

Mark L. McKoy
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 880
Morgantown, WV 26507-0880

RE: Preparation of Environmental Impact Statement: Western Greenbrier Co-Production
Demonstration Project, Rainelle, West Virginia

Dear Mr. McKoy:

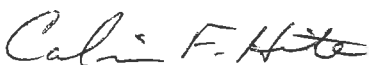
On behalf of the National Park Service units in southern West Virginia, I would like to submit this letter for the record, outlining our preliminary scoping comments on the proposal to construct a co-production power plant within ten miles of the New River Gorge National River and Gauley River National Recreation Area. Our third unit, the Bluestone National Scenic River, located in adjacent Summers County may also be affected by the proposal. Based on the close proximity of the project to the 3 park units, and the potential to impact sensitive park resources, the National Park Service (NPS) would like to be a cooperator in the preparation of the Environmental Impact Statement (EIS). The NPS would also like to have some role in the development of alternatives, to ensure that park interests are reflected in the draft EIS. The following is a tentative list of issues that have the potential to adversely impact park resources, and should be evaluated during the EIS process.

- Greenbrier County is a non-attainment area for 8-hour ozone and is a neighboring county to the New River Gorge National River (NERI), Gauley River National Recreation Area (GARI), and Bluestone National Scenic Area (BLUE). NERI & GARI are equal-distance between the non-attainment areas of the Kanawha Valley and Greenbrier Valley. EPA models predict that both parks probably exceed the national standard for ozone. What is the affect of this project on ozone levels in the two parks?
- The project proposes to utilize waste coal found in "gob" piles in southern WV, then mix it with fresh coal. The largest gob pile to be "mined" for the project is located in Anjean, WV, and is a known source of mine acid production within the Meadow River watershed. The lower 7 miles of the Meadow River are within the GARI. What measures will be taken to ensure that mine acid problems on the Meadow River will not be further exacerbated by disturbance of the "gob"?
- Does the project propose to burn coal refuse with a high sulfur content, and if so, how will this affect air quality modeling? If coal waste with a low pH is utilized at the plant, how is the waste handled and acid levels mitigated? How is coal waste (shale, slate, sandstone, and

- other particles) not consumed in the steam making process, stockpiled on the site? How much waste is projected to be produced at the project site and where will it be stored?
- NERI has numerous gob piles, some of which are still in private ownership. There may be some interest by these private inholders to mine their gob piles for the co-production plant. How would this activity be regulated? Surface mining is currently prohibited within the congressional boundary of the NERI & GARI (30 CFR §761.11). Would the Surface Mine Control & Reclamation Act (SMCRA) apply to mining "gob" piles?
 - Viewshed protection is an issue at all three parks, especially NERI. One of the most spectacular panoramic views in West Virginia is found at Grandview overlooking the New River Gorge. Will the co-production project impair the air quality and visibility of this scenic vista? Will the plume from the smokestack or cooling towers be visible from Grandview or the National River? Modeling of the plume and air pollution variables need to be conducted and analyzed for their impacts on park resources, including the Bluestone National Scenic River (BLUE) located southeast in Summers County. NERI conducted five years of viewshed monitoring at Grandview from 1995-2000, and a private contractor in Ft. Collins, CO analyzed the data. The final report completed in 2001 is available at park headquarters for your use. NERI has also conducted passive ozone monitoring at Grandview the past ten years.
 - The co-production project will be located on the Meadow River, approximately 15 miles upstream of the GARI. How will the co-production plant and "gob pile" mining effect water quality and quantity. The Meadow River contains the federally threatened Virginia spiraea, which is found in a narrow band between the river's edge and upland forest in the riparian zone. Unnatural fluctuations in water temperatures and river levels could impact this rare plant. The Meadow River is also a very important recreation area for skilled whitewater enthusiasts. Does the project have potential to adversely impact water levels during seasons of high recreational use?

I hope you find the above list of issues helpful as you determine needs for additional analysis and study during the scoping process. We look forward to working with you on the draft EIS. Should you have any questions, please contact John Perez at 304-465-6537 or john_perez@nps.gov.

Sincerely,



Calvin F. Hite
Superintendent

cc: Deborah Darden, Deputy Superintendent/RPM, New River Gorge National River
Holly Salazer, NER, Regional Air Resources Coordinator
David Reynolds, NER, Natural Resources Stewardship and Science
Kerry Moss, WASO, Geologic Resources Division, Denver

From: Debbie Fletcher <fletchd@citynet.net>
To: <mmckoy@netl.doe.gov>
Date: 6/26/03 7:50AM
Subject: Co Generation Plant for Rainelle, WV

Mr. McKoy,

I attended the meeting you had last week with the citizens of Rainelle, WV regarding the Co Generation Plant. I am very much in favor of this plant. My husband and I moved to Rainelle in August 2002 as he accepted a Pastor position at the Highland First Church of God. I fell in love with Rainelle the first time we came down to try out for the church. I have been loving it ever since we moved here. I have been concerned for the lack of employment for our youth and seeing the town slowly close it's doors on many business. I know that this plant will be a plus to the citizens of Rainelle. Thank you for coming and explaining things to us.

Debra L. Fletcher
422 Eleventh Street
Rainelle, WV 25962



ACAA
INTERNATIONAL

American Coal Ash Association

15200 East Girard Ave., Ste 3050

Aurora, CO 80014-3988

Phone: (720) 870-7897 Fax: (720) 870-7889

E-mail: info@ACAA-USA.org

June 17, 2003

Mr. Mark L. McKoy
NEPA Document Manager
Department of Energy
626 Cochrans Mill Road
P.O. Box 10940
Pittsburgh, PA 15236-0940

Dear Mr. McKoy:

Thank you for offering us the opportunity to participate in the upcoming public scoping meeting for the Rainelle plant on June 19, 2003. We would like to convey our full support and encouragement for the plant's construction.

We believe it is important to promote ecologically sound coal plant technology and the efficient use of all coal combustion products (CCPs). We fully endorse efforts to minimize wasted resources and are pleased to see that Woodbrik™ will be aiding in the utilization of the plant's coal combustion products (CCPs).

At this time, we have no comments regarding the EIS and environmental analysis, but look forward to hearing of upcoming progress. Thank you again for the opportunity to be a part of this important decision-making process. If we can be of service regarding any further information on CCP use or technology, feel free to contact me at my office (720-870-7897).

Sincerely,

David C. Goss
Executive Director

Mr. McKoy,

I was at the presentation at the Greenbrier High School Thursday, June 19. I enjoyed the presentation, and liked what I saw. I sincerely hope the project goes through for our community. I read the EIS, and was surprised how thorough it was. I have a few questions, though.

Will the public get to see the results of the EIS?

Is the plant in Colorado still operational?

Can we ask the community questions concerning their plant?

If the plant that is proposed for here doesn't work out, will we be stuck with a white elephant?

Who will pay any taxes on the property where the power plant will be located?

Is our plant one of eight in the plans, or will we be chosen from one of eight sights?

Thank you for your input. I hope the project goes through.

Mary Nutter
Quinwood, W. Virginia

MSN 8 helps ELIMINATE E-MAIL VIRUSES. Get 2 months FREE*.

From: Mark McKoy
To: Nutter, Mary
Date: 6/30/03 4:48PM
Subject: Re: RAINELLE POWER PLANT

Dear Ms. Nutter,

Here are some brief answers to your questions.

Yes, the public will get to see the results of the EIS. First, copies of the draft EIS will be made available in the public reading areas, and copies will be provided to those who request copies. When we get feedback, we will modify the draft EIS to produce a final EIS. We will then distribute the final EIS by placing copies in the public reading areas and by sending copies to those who request copies. The DOE will make its decision regarding whether to provide financial assistance by issuing a Record of Decision (ROD). The ROD will be published in the *Federal Register*, and the DOE may send copies of the ROD to those who request copies.

I am assuming that your question regarding the plant in Colorado refers to the pilot plant for making Woodbrik. A pilot plant was constructed and used to test the concept of making brick from ash, limestone and wood wastes. I am not certain whether this plant is still capable of operations. This plant produced enough brick for building at least one home. The plant proposed for Rainelle would be the first plant to continuously manufacture Woodbrik and the first to make commercial sales of Woodbrik.

The pilot plant was of very small size, so the community was probably not aware of the plant. It operated for a short time, producing only enough Woodbrik for a few homes.

Regarding the possible white elephant, here are some tentative answers. The power plant should have an agreement negotiated with the local transmission company regarding the purchase of all the electricity produced by the power plant. This agreement should be signed prior to building the power plant. The Woodbrik plant poses a greater risk of not selling its products. Simply getting people to try something new is always difficult. Getting people to build houses in a different way using these new brick will be an even greater challenge. The Woodbrik plant would produce a variety of products to facilitate sales of the material. These products would include: large structural blocks (similar to conventional concrete blocks), small bricks (as a substitute for conventional clay bricks), bagged cement mix (similar to the bagged Portland cement mix), and perhaps an additive for Portland cement. Hopefully, a market will become established for at least some of these products. I do not know if other products could be produced, but I intend to look into the possibilities and report these in the EIS.

Property taxes are usually collected by the county government. Given that the power plant will be owned by the municipalities, the property may be exempt from county property taxes. I do not know the answer to this question at this point in time.

The Western Greenbrier Co-Production Demonstration Facility is one of eight project proposals that have been selected for financial assistance from the DOE under the current Clean Coal Power Initiative program.

These answers are subject to change as I get more information. The whole project is still in the early (planning) stage. I hope these answers help.

Sincerely,

Mark L. McKoy
U.S. DOE

July 3, 2003

NEPA Document Manager:
Mr. Mark L. McKoy
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 880
Morgantown, WV 26507-0880
mmckoy@netl.doe.gov

RE: Notice of Intent in the Federal Register for the Western Greenbrier Co-Production Demonstration Project, 68 FR 33111, June 3, 2003.

Dear Mr. McKoy:

The Appalachian Center for the Economy and the Environment is submitting these comments on behalf of the West Virginia Highlands Conservancy. The Conservancy is a nonprofit, statewide membership organization and is one of the largest and oldest nonprofit conservation organizations in West Virginia. The Appalachian Center is a regional nonprofit organization serving central Appalachia with offices located in Greenbrier County, West Virginia, the same county as the proposed Western Greenbrier Co-Production Demonstration Project. Thus, organizational members and the environment they depend on will be directly affected by the project.

The Western Greenbrier Co-Production proposal is a "demonstration project" that sets dangerous precedents for fuel use and technology applications that will impact the region and the nation well into the future. In fact, the project sponsors state in their Clean Coal Power Initiative application that "the project is expected to catalyze the demonstration of an entire eco-park complex distributed network" of at least four additional 150 megawatt (MW) co-production facilities planned for southern West Virginia, in the area of Summers and Mercer Counties. Thus, the environmental impacts of this plant are disproportionately great because it will serve as a model and stimulus for the other plants in the network and additional projects across the country. The immediate impact of the complex will be equal to a single power plant of 685 MW. Therefore, the EIS must not only assess the potential impacts from the Western Greenbrier plant but also assess impacts of additional plants as the technologies demonstrated by the project are duplicated throughout the network. Pursuant to CEQ regulations (§§ 1508.7 and 1508.8(b)), DOE must consider indirect effects of the project and cumulative impacts that are reasonably foreseeable. Accordingly, the effects of the four additional power plants must be part of the DOE's analysis.

As a demonstration project, Western Greenbrier must use state-of-the-art pollution control technology and low impact fuels. Instead, the project reaffirms the use of coal as a primary fuel source, does not use the best pollution control technologies for all pollutants, and leads the region away from sustainable sources of power. The reliance of the project on waste coal and significant amounts of high quality coal also promotes continued mountaintop removal coal mining. Therefore, the EIS must evaluate not only the projects' cumulative impacts on global warming but

also the broad and indirect environmental impacts from the coal mined and limestone quarried to carry out the project. These impacts must be compared to those from projects using alternative energy sources and to DOE's support of conservation campaigns.

In addition, while the project is advertised as a "co-generating power plant of advanced design that will be the center of a synergistic eco-park," DOE admits the project is a "high-risk" activity that utilizes unproven technologies that may not be commercially viable. Because the construction of the eco-park is so unlikely, the EIS must judge the "build alternative" considering the plant on its own without taking credit for secondary environmental and economic projects that likely will never materialize. DOE must evaluate the environmental impacts of the project as though all or most of the secondary projects are never initiated or completed, do not fulfill claims and/or fail to be sustained throughout the life of the power plant. In other words, DOE must consider the proposal in light of the likelihood that there is no market for 1,000 tons of Woodbrix per day, the "eco park" will have few if any tenants, hot water produced from the plant's turbine exhaust will be discharged to area streams, tilapia will neither be produced nor sold, and the leftover ash/limestone is an inappropriate material to use to neutralize acid mine drainage from the source coal waste piles. Since there are no contractual agreements that assure these activities will be carried out over the life of the plant or evidence that they will meet environmental claims, this alternative is far more likely than implementation of the full project alternative.

Western Greenbrier LLC is currently struggling to finance this project. The only financing it has managed to secure is from governmental sources. Indeed, the proposed plant is a pork-barrel project that will waste taxpayers' money on technology that will harm 1) the health of the people in the region; 2) the region's environment; and 3) the economy of the region. The financial instability of the project undermines the entire proposal. Many of the proposed actions – creation of the eco-park; creation of an agricultural project that can use generated heat to create a commercially viable floral, fruit and vegetable market; marketing of Woodbrix; buffered ash adequately treating AMD from the Anjean waste pile – require significant capital expenditure for implementation. If the partnership struggles to finance the plant by relying almost entirely on public money, DOE cannot realistically expect that secondary projects will be fully implemented or implemented at all. DOE must consider whether the public money required by this project is simply an attempt to use taxpayer dollars to fund a project that is too weak to succeed in the free market.

Additionally, DOE should not be persuaded by the claim that the proposed project is necessary to clean up the Anjean gob pile or other gob piles. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund to clean it up. Taxpayers should not be forced to clean up a mess made by the coal industry – a mess for which the coal industry is still legally responsible. Finally, it appears that the owner of the Anjean gob pile is bankrupt. This project should not be used to allow that owner, or subsequent owners, to escape environmental liabilities resulting from their ownership of the property. Indeed, it may be improper for the owner of the gob pile to sell it to an entity that lacks the financial resources to

clean up the pollution discharged from the pile.

Alternatives

In DOE's "Background Information and Potential Environmental Issues" for preparation of the EIS, DOE states:

The Clean Coal Power Initiative program was structured to achieve National Energy Policy goals by promoting private sector initiatives to invest in demonstrations of advanced commerce-ready technologies through the use of Federal, cost-sharing, financial assistance awards. This approach puts DOE in a much more limited role than if the Federal government were the owner and operator of the project. In the latter situation, DOE would be responsible for a comprehensive analysis of reasonable alternative locations for the project. However, when dealing with applicants for financial assistance awards under the CCPI program, the scope of alternatives is necessarily more restricted because DOE must focus on alternative ways to accomplish its purpose that reflect both the applications before it and the functions that DOE plays in the decision process. As a grantor of financial assistance awards under a competitive open solicitation, DOE must give substantial deference to each applicant's needs in establishing a project's reasonable alternatives.

Clearly, this approach will considerably narrow alternatives to the proposed action. In fact, DOE currently plans to consider only the action and no-action alternatives. This limited approach allows private entities to undergo less stringent review than similar projects initiated by the federal government, thus driving the agenda of DOE and minimizing the potential to reduce or eliminate environmental impacts. It is a transparent attempt to evade the scrutiny that rightfully should come with any federal expenditure.

Specifically the commenters believe the following alternatives must, at a minimum, be considered in the EIS:

- The project outlined by Western Greenbrier Co-Production, LLC without the benefit of secondary projects that are not likely to materialize over the life of the plant and do not have a track record of proven environmental or commercial benefit. This alternative must include cumulative impacts to global warming for the power plant network and impacts from the mining of coal and quarrying of limestone needed for project.
- A similar project using a CFB boiler with better pollution control devices for all pollutants, including additional mercury controls and carbon sequestration technologies.
- A similar project using integrated gasification combined cycle and better pollution control devices for all pollutants including additional mercury controls and carbon sequestration technologies.
- A project using alternative fuel sources.
- A stand-alone project without an associated power plant that moves the gob piles to dry

land preventing both run off and ground water contamination and fully reclaims the former refuse site.

- Providing support of conservation programs that focus on reducing the consumption of electricity at a consumer and industrial level.
- The no-action alternative.

Specific comments:

Air

All impacts from emissions of NO_x, SO₂, metals and radionuclides and particulates must be quantified and assessed through a dispersion model. Would, for example, the degradation of air quality drive the region, including Greenbrier County, into a non-attainment status for ozone standards? If Greenbrier County does not comply with the eight-hour ozone standard – and there is good evidence it will not, especially if these plants are built – then offsets must be required. DOE must consider the potential ozone issues, including offsets, for all five plants. In addition, because this project may set a precedent for the types of fuels and technologies used in future power plants, a predictive model should be used to assess potential cumulative impacts to air quality of all plants in the network and other new plants utilizing the same fuels and technologies. Because coal gob has a relatively low BTU content, many more tons of CO₂ and other pollutants are released per unit of electricity generated than from other fuels. Thus, local and regional CO₂ impacts must be critically examined both for the proposed project and for cumulative impacts of the network of proposed plants. Impacts from ozone, acid rain, mercury deposition, diesel fuel emissions from hauling coal, limestone, and fly ash, and the potential for fugitive dust escaping off-site, must also be assessed. Also, impacts to Class 1 areas must be assessed and modeled.

Other air emission impacts that must be assessed are:

- Increased smog locally and regionally
- Impact and movement of water vapor plume

Health impacts

The EIS must assess health impacts to:

- Elderly care facilities
- Low income housing
- Housing for the disabled
- Schools and nurseries
- Public at-large, especially the local communities where the negative health consequences will be the greatest
- Increase in respiratory ailments generally, but in particular, impacts on the young and elderly in the local communities in terms of increased respiratory diseases like asthma
- Impact of the significant fugitive dust that will result from the project

Environmental Justice

The EIS must assess the impacts of siting five power plants in low-income regions of West Virginia and the health, pollution, and other life quality impacts they will cause. DOE must consider whether it is appropriate to site power plants in disproportionately poor areas of the country and whether the power plants proposed for West Virginia are located in such low income areas. Pursuant to Executive Order 12898, "[t]o the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States . . ."

Economic impacts from environmental degradation

The decision to support this project will have numerous negative impacts on the economy. As emissions from the project and other plants in the project network degrade air quality and may push the region into non-attainment for ozone, it could trigger the implementation of extensive auto emissions reduction programs and stop future road construction in the area. Degradation of air quality and the environment will have a negative impact on tourism, potential growth of other industries, and life quality in the area. People want to live in the counties where the proposed plants would be located because it is perceived as having clean air and water. Further degradation of the region's air and water may, therefore, have negative economic impacts that must be considered in the EIS.

Noise

The EIS must assess all noise impacts from:

- Construction and blasting
- Steam release
- Truck traffic
- Unloading/handling of coal
- Other operations

Traffic and damage to roads

The EIS must assess the impacts from:

- Increased truck traffic – over 100 round trips per day
- Interference with other road users
- Danger to local citizens from coal trucks, especially in light of the recent increase in coal truck weight limits in West Virginia
- Damage to local roads and increase in state expenditure for road repairs from haul traffic
- Demand and cost of new traffic controls

Streams/flooding

The EIS must assess the impacts from:

- Wetland loss and impacts
- Flooding due to topography changes
- Risk to property from flooding
- Changes in stream courses

Waste streams

The EIS must assess impacts from:

- Any solid waste generated
- Any hazardous waste generated
- If and how much Woodbrix leaches AMD or metals when exposed to water or weathering
- Radiation from Woodbrix verses other building materials

Water quantity and quality issues

The EIS must assess impacts from:

- Water use and stream flow – in particular the withdrawal of 173,000 gallons/day of ground water and the use of 520,000 gallons per day of effluent water from the Rainelle STP that will not be immediately returned to the stream to support stream flow
- Water lost in vapor
- Waste water quality and impacts to water quality in receiving stream
- Conveyance of water to and from power plant
- Impacts from acid rain
- Impacts from mercury deposition

Ecology & Endangered/threatened species

The EIS must assess impacts on:

- Biodiversity and integrity of the local ecosystem including species and genetic diversity
- Federally endangered and threatened species and critical habitat (in particular Harparella)
- Species of state interest

Mining and quarry issues/sawdust issues

The EIS must assess broad environmental impacts from:

- Need to open new coal mines or expand existing mines to meet this and the other plants' future demands for coal – especially when gob is not available or does not provide sufficient BTU to be financially viable
- Environmental impacts from existing mines supplying coal to the plant
- Availability of gob, where can it be secured, and whether there is enough readily available

- gob to supply fuel during the life of the project
- Refuse recovery: AMD creation, toxic ground water and surface water contamination from disruption and exposure of the gob piles, and impacts from and treatment needed for gob left at sites and not retrievable for use in power plant
- Potential landfilling of leftover ash and the toxic metals it contains, and the inability to prevent leaching of the toxic metals and other substances in the decades after the operation ceases to exist
- Environmental impacts from operation of existing and creation of new limestone quarries supplying limestone for gob treatment
- Increased demand for sawdust and increased cutting of regional forests

Visual

The EIS must assess the impacts from:

- Aerosol haze from SO₂, NO_x, and particulate emissions
- Emissions to Class 1 areas
- Water vapor plumes
- Damage to local and regional viewsheds
- Additional power lines needed to feed electricity into the power grid

Regulatory Compliance

The EIS must assess whether all Clean Water Act and Clean Air Act permits can and will be obtained.

In conclusion, DOE must conduct a rigorous and objective evaluation of all impacts – direct, indirect and cumulative – of each alternative. The purpose of NEPA is “to encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation.” 42 USC § 4321. Given all the issues raised in these comments, it is difficult to imagine that siting new coal-fired power plants in southern West Virginia makes environmental or economic sense.

Sincerely,

Margaret Janes
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I'd like to know more, (than what I read in the newspaper) about the proposed power plant for Western Greenbrier County. Unfortunately, I've been on vacation and missed the Department of Energy meeting June 19th. I live in neighboring Summers County and coordinate WV's Interfaith Global Climate Change Campaign. I'm particularly interested in the EIS. [I will put you on the list to receive a copy of the draft EIS.]

Some of my questions are:

1. Who/what company/industry is benefitting from the waste steam, in co-generating. [The project company, Western Greenbrier Co-Gen, LLC, was formed by three municipalities as part of an economic development plan. They will own the power plant and the brick-making plant. They will attempt the sell heat in the form of hot water and steam to whoever will buy it. It is expected that there will be no waste high-quality steam. This steam will either be used for the production of electricity or will be extracted from the power cycle and sold at a higher price (than the produced electricity) for other industrial applications. Currently, all the high-quality steam is projected for use in the power cycle; however, industrial consumers of steam are being sought. There is waste heat that will be available from the steam cycle condenser. This heat will be available for use in the planned "eco-park" that the local municipalities have envisioned. In the absence of the planned greenhouses and fish farms, the waste heat would be lost to the surrounding air via conventional cooling equipment.] Will that process use all the excess steam, and if not, where will the rest of the excess steam go? [See answer above. The ultimate goal is to sell or otherwise use most of the potentially-beneficial waste heat. This will require the establishment of the "eco-park" or other consumers, which may not occur before the proposed power plant begins its operations. I am not aware of any contracts for the use of steam or heat at this time; however, this project is very early in the planning stages. I expect that the brick-making plant will use some waste heat. The planned "eco-park" is not part of the DOE action, so the municipalities would need to look to other sources of help with the creation of the eco-park.] Are there other byproducts being used, such as the slag in co-generation? If so how? [I assume that the term "slag" is for slag and ash. The goal is to use slag and ash in the manufacture of brick (Woodbrik™) and bagged pozzolonic materials and/or, possibly, as a concrete additive. Western Greenbrier is currently negotiating with the WVDEP and others for the Anjean waste coal in exchange for specified remediation activities at the Anjean site. Some of the ash, which would have un-reacted limestone within it, would be returned to the Anjean waste piles and mixed with the residual waste coal (that coal waste of inadequate BTU value) in an effort to neutralize acid leachate at the point of generation.] How firm are these co-generation agreements? [We (DOE) are very anxious to see agreements for the sale of electricity, sale of steam and/or waste heat, access to waste coal with contractual requirements for remediation as the cost (price) of the waste coal, plus the sale of Woodbrik™ and other ash by-products. We would also like to see the municipalities take progressive action toward the creation of their planned "eco-park".]
2. The newspaper articles have described the plant to have newer, more advanced technology with emphasis on being environmentally clean. What new technologies are being used? [The power plant will use state-of-the-art environmental controls such as selective non-catalytic reduction (SNCR) for NOX control, a flash dryer absorber for enhanced sulfur dioxide and mercury control (limestone is also used in the furnace for sulfur control), and a state-of-the-art fabric filter will be used for fine particulate control. Two primary attributes of the combined power and Woodbrik™ plant are (1) integration of the two plants that will result is overall improved energy efficiency and emissions control and (2) a novel power plant configuration that will allow for a more compact, lower cost power plant in sizes applicable for burning waste coal.] What are the emission projections for carbon dioxide, sulphur, nitrogen, and mercury? [See the slides attached to another e-mail that will be sent to you. Slide number 2 gives the comparison. In this slide, the bars for "Current Controlled" reflects the level of emissions for power plants such as the Beechurst Avenue power plant located in Morgantown at the edge of the WVU campus. At this time we do not have data for the other pollutants, but we intend to get this information and put it in the EIS. The proposed power plant should be among the cleanest power plants at the present time using proven technology.]
3. What is the source of limestone, how far will it have to be hauled, how many trucks/day, what size trucks etc. [It is expected that 7 trucks/day of limestone and/or dolomite from local sources would be

used at the power plant. I do not know if more would be needed for the brick-making plant.]

4. Where will the waste be dumped that's not used in the co-generation? [Ash that is not used for brick-making would be returned to the waste coal piles and mixed with the un-useable waste coal where the unreacted limestone (or dolomite) can neutralize acid leachate.]
5. Can you provide me more details such as the size of the plant, construction schedule, etc. [The projected maximum output from the power plant is 85 MWe. I do not have the numbers for the physical dimensions, but I will get this information from the designers. The approximate schedule is presented on slide 3 in the slides that I will send to you.]
6. What's the content of the gob being used? [Western Greenbrier has contracted with an engineering consulting firm for the sampling and analysis of the coal waste piles. The tentative data is that, for example, a blend of 12% quality coal (Rader Run) and 88% Anjean waste coal would provide 5,020 Btu/lb with 1.2% sulfur.] What happens when it's "disturbed"? [I do not know any details at this time, but the waste coal piles are currently leaching acid and metals, which WVDEP says is costing the State more than \$225,000.00/yr to treat. The goal is to eliminate the need for on-going treatment.] What happens to the land where the gob has been dumped after it's removed from the sight for burning in the power plant? [There should be some type of remediation — recontouring, seeding, There is talk of a public park, but the future of the site is still being settled in legal proceedings.] How many years of gob is available? [The engineering study will give us this information for the Anjean site. The project proposal claimed that the Anjean site and other sites near Rainelle could provide waste coal for at least 20 years of power plant operations.]
7. Did the state make the \$5 million commitment? [The State has verbally committed to provide a combination of money and loan guarantees. We are waiting to see how this is worked out. They are telling us that it will require at least three more months!]

Thank you for your consideration of my questions and your time and expertise in responding!

Sincerely,
Marcia Leitch

